



# Iraq - Country Focus

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## **Country of Origin Information Report**

**May 2024**



Manuscript completed in May 2024

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Luxembourg: Publications Office of the European Union, 2024

PDF ISBN 978-92-9410-070-2 doi: 10.2847/761193 BZ-09-24-245-EN-N

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# Acknowledgements

This report was written by the Country of Origin Information (COI) sector of EUAA.

The following national asylum and migration departments reviewed this report:

- Germany, Federal Office for Migration and Refugees (BAMF)
- Greece, Greek Asylum Service (GAS), General Secretariat for Migration Policy
- The Netherlands, Office for Country Information and Language Analysis, Ministry of Justice (OCILA)
- Slovak Republic, Department of Documentation and Foreign Cooperation, Ministry of Interior.

The review carried out by the mentioned departments contributes to the overall quality of the report, but it does not necessarily imply their formal endorsement of the final report, which is the full responsibility of the EUAA.





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## Disclaimer

This report was written according to the [EUAA COI Report Methodology \(2023\)](#). The report is based on carefully selected sources of information. All sources used are referenced.

The information contained in this report has been researched, evaluated and analysed with utmost care within a limited timeframe. However, this document does not claim to be exhaustive. If a particular event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist.

Furthermore, this report is not conclusive as to the determination or merit of any particular application for international protection. Terminology used should not be regarded as indicative of a particular legal position.

‘Refugee’, ‘risk’ and similar terminology are used as generic terminology and not in the legal sense as applied in the EU Asylum Acquis, the 1951 Refugee Convention and the 1967 Protocol relating to the Status of Refugees.

Neither EUAA nor any person acting on its behalf may be held responsible for the use which may be made of the information contained in this report.

On 19 January 2022, the European Asylum Support Office (EASO) became the European Union Agency for Asylum (EUAA). All references to EASO, EASO products and bodies should be understood as references to the EUAA.

The drafting of this report was finalised on 8 May 2024. Any event taking place after this date is not included in this report. More information on the reference period for this report can be found in the methodology section of the Introduction.





## Glossary and abbreviations

Term	Definition
<b>AAH</b>	Asaib Ahl al-Haq (The League of the Righteous)
<b><i>Asayish</i></b>	Internal security and intelligence services of the Kurdistan Region of Iraq
<b>CSID</b>	Civil Status Identification Card
<b>EU+ countries</b>	Member States of the European Union and associated countries
<b><i>Fasliya</i></b>	A practice of trading women/girls to settle tribal disputes
<b>FGM/C</b>	Female Genital Mutilation/Cutting
<b>IDP</b>	Internally Displaced Person
<b><i>Ikhbar</i></b>	A tribal procedure aimed at reporting a relative with perceived affiliation to ISIS
<b>ISF</b>	Iraqi Security Forces
<b>ISIL</b>	Islamic State of Iraq and the Levant; also known as Islamic State of Iraq and Syria (ISIS), the Islamic State (IS), or <i>Daesh</i>
<b>KDP</b>	Kurdistan Democratic Party
<b>KH</b>	Kataib Hezbollah. Iranian-backed Shia militia that is part of the Popular Mobilization Units
<b>KRG</b>	Kurdistan Regional Government
<b>KRI</b>	Kurdistan Region of Iraq







Term	Definition
<b>KSF</b>	Kurdish Security Forces
<b>Member States</b>	Member States of the European Union
<b><i>Mukhtar</i></b>	Local community leader
<b><i>Nahwa</i></b>	A tribal tradition where the cousin, uncle or other male relative of a girl can prohibit her marriage to a person outside of the family
<b>PDS</b>	Public Distribution System card for food assistance
<b>PKK</b>	Kurdistan Workers' Party
<b>PMF</b>	Popular Mobilisation Forces
<b>PUK</b>	Patriotic Union of Kurdistan
<b>Refugee Convention</b>	The 1951 Convention relating to the status of refugees and its 1967 Protocol (referred to in EU asylum legislation and by the CJEU as 'the Geneva Convention')
<b><i>Tabriya</i></b>	A tribal procedure aimed at disowning a person, e.g., in cases of affiliation with ISIL
<b>THB</b>	Trafficking in human beings
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNAMI</b>	United Nations Assistance Mission for Iraq
<b>UNID</b>	Unified Identification Card





## Introduction

The purpose of this report is to provide relevant information for the assessment of applications for international protection, including refugee status and subsidiary protection, and in particular for use in updating EUAA's country guidance document on Iraq. This report should be read in conjunction with the [EUAA COI report: Iraq – Security Situation \(May 2024\)](#).

The report provides information on the treatment of selected profiles by state and non-state actors as well as on key socio-economic indicators in the country, with specific focus on the cities of Baghdad and Sulaymaniyah. The reference period for the chapters related to Treatment of selected profiles is January 2022 – March 2024; the reference period for the chapters related to Key socio-economic indicators for Baghdad and Sulaymaniyah is February 2023 – March 2024.

The report is partly to be read as an update of the [EUAA COI report on Iraq: Targeting of Individuals](#) published in February 2022 and of the [EUAA COI report on Iraq: Key socio-economic indicators for Baghdad, Basrah and Sulaymaniyah](#) published in November 2021.

## Methodology

This report was drafted by the EUAA and reviewed by EUAA and national COI departments in EU+ countries, as mentioned in the [Acknowledgements](#) section. This report is produced in line with the EUAA COI Report Methodology (2023)<sup>1</sup> and the EUAA COI Writing and Referencing Style Guide (2023).<sup>2</sup>

### Defining the terms of reference

The terms of reference (ToR) of this report were defined by EUAA based on discussions held and input received from COI experts in the EUAA COI specialist network on Iraq and from policy experts of EU+ countries appointed to EUAA Country Guidance network. The ToR also built on previous EUAA COI reports on Iraq covering the same topics. The Terms of Reference for this report can be found in [Annex 2: Terms of Reference](#).

### Collecting information

This report is based on information gathered from extensive desk research using predominantly public, specialised paper-based, and electronic sources as well as interviews with experts. All information from these sources was consulted within time constraints. Some limited additional information was added during the finalisation of this report in response to feedback received during the quality control process, until 7 May 2024.

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<sup>1</sup> EUAA, EUAA Country of Origin Information (COI) Report Methodology, February 2023, [url](#)

<sup>2</sup> EUAA, EUAA Writing and Referencing Guide for EUAA Country of Origin Information (COI) Reports, February 2023, [url](#)





## Quality control

To ensure that the authors respected the EUAA COI Report Methodology and that the Terms of Reference were comprehensively addressed, a review was carried out by COI specialists from the countries and organisations listed as reviewers in the [Acknowledgements](#) section. All comments made by the reviewers were taken into consideration and most of them were implemented in the final draft of this report, which was finalised on 8 May 2024. EUAA also performed the final quality review and editing of the text.

The review carried out by the mentioned departments, experts or organisations contributes to the overall quality of the report, but it does not necessarily imply their formal endorsement of the final report, which is the full responsibility of EUAA.

## Sources

In accordance with the EUAA COI Report Methodology, the content of this report relies on a range of different open-source material, as well as interviews and email communication with oral sources. Information was mainly gathered from public reports by international organisations; reports produced by various bodies of the United Nations; civil society, advocacy groups, humanitarian organisations, and NGOs; COI reports of national asylum administrations; media, specialised academic publications and think tanks. In addition to using publicly available documentary sources, interviews with experts were conducted in order to supplement information gaps and/or to further corroborate some information. The chapters related to entry, residency requirements and access to civil documentation and services extensively rely on information provided by UNHCR. Some oral sources interviewed by the EUAA preferred to remain anonymous for security reasons. Sources were assessed for their background, publication history, reputability, and current knowledge of the situation on the ground. All the public and oral sources referenced in this report are cited and described in [Annex 1: Bibliography](#).

## Structure and use of the report

The report comprises two main chapters, each focusing on the treatment of selected profiles and on key socio-economic indicators for Baghdad and Sulaymaniyah respectively. Chapter 1 is divided into six sub-chapters. Each sub-chapter contains information on the general situation of selected groups of individuals or profiles within the Iraqi society as well as their treatment by state, state-affiliated actors and non-state actors. For better readability, cross-links among the sub-chapters of the report are provided where information regarding one or more profiles overlaps with information related to other profiles covered in this report. Chapter 2 is divided in three sub-chapters. The first gives an overview of the socio-economic situation in the country as well as an overview at country level of the requirements needed to enter and settle in some governorates/cities, and the requirements needed to access civil documentation and services. The following two sub-chapters contain the same information specifically for the cities of Baghdad and Sulaymaniyah, respectively.



# Maps



Map No. 3835 Rev. 6 UNITED NATIONS July 2014

Department of Field Support Cartographic Section

Map 1. Iraq <sup>3</sup>

<sup>3</sup>Map 1: UN, Iraq - Map No. 3835 Rev.6, July 2014



# 1. Treatment of selected profiles

## 1.1. Individuals perceived as opposing the state and state-affiliated actors

Article 38 of the 2005 Iraqi Constitution guarantees freedom of expression, press, printing, advertisement, media and publication, freedom of assembly and peaceful demonstration, ‘in a way that does not violate public order and morality’.<sup>4</sup> Despite such provisions, some laws inherited from the previous era and still in force in Iraq are used by authorities to restrict these same rights.<sup>5</sup> Sources noted that Article 226 of the Penal Code,<sup>6</sup> in particular, has been used by Iraqi authorities to suppress dissent and critical voices in the country.<sup>7</sup> Civil society organisations stated that it is unclear what can be deemed as an ‘insult’ against authorities, as stipulated in the aforementioned article<sup>8</sup> and that the ‘broad and vague language’ used in the Penal Code allows Iraqi authorities to target activists for their opinions.<sup>9</sup> Sarah Sanbar, Iraq researcher at Human Rights Watch, observed that those who ‘insult’ Iraqi or Kurdish authorities continue to face ‘serious repercussions, including arrest, harassment, kidnapping, arbitrary detention, and death threats, from both state and non-state actors.’<sup>10</sup> Notable recent cases include the arrest of Ali Al Abadi, president of the Iraq Center for Human Rights, in December 2023, for insult and defamation, as well as the arrest of political analyst Mohammed Na’na Hassan, for insulting the Prime Minister Al Sudani on TV. Journalist Islam Kashani was also arrested for criticising corruption in the KRG.<sup>11</sup>

In November 2022, the Iraqi government introduced a draft law on Cybercrime foreseeing penalties ranging from seven to ten years of prison and fines of at least 10 million Iraqi dinars for anyone using cyberspace ‘with the intention to undermine religious, family or social values and principles’.<sup>12</sup> The draft law further foresees that anyone found guilty of publishing online content ‘undermining the country’s independence, unity, and safety, or its supreme economic, political, military, or security interests can be sentenced to life imprisonment and a fine of up

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<sup>4</sup> Article 38 reads: ‘The State shall guarantee in a way that does not violate public order and morality: A. Freedom of expression using all means. B. Freedom of press, printing, advertisement, media and publication. C. Freedom of assembly and peaceful demonstration, and this shall be regulated by law.’ Iraq, Constitution of the Republic of Iraq, 15 October 2005, [url](#), Art. 38

<sup>5</sup> UNDP, Media landscape in Iraq, 5 February 2024, [url](#), p. 8

<sup>6</sup> Article 226 reads: ‘Any person who publicly insults the National Assembly or the government or the courts or the armed forces or any other constitutional body or the public authorities or official or 1 semiofficial agencies or departments is punishable by a term of imprisonment not exceeding 7 years or detention or a fine.’ Iraq, Iraqi Penal Code (Law No. 111 of 1969), 1969, [url](#), Art. 226

<sup>7</sup> Mansour R., Tackling Iraq’s unaccountable state, Chatham House, 11 December 2023, [url](#); Al Kaabi A., Knights M., Iraq’s “Resistance” Factions Shift to Major Crackdown on Media Spaces, Washington Institute for Near East Policy, 28 February 2024, [url](#); Al Jazeera, The long shadow of Saddam’s dictatorship in Iraq, 16 April 2023, [url](#)

<sup>8</sup> Mansour R., Tackling Iraq’s unaccountable state in Chatham House, 11 December 2023, [url](#)

<sup>9</sup> Al Jazeera, The long shadow of Saddam’s dictatorship in Iraq, 16 April 2023, [url](#)

<sup>10</sup> Sanbar S., email communication with EUAA, 16 March 2024

<sup>11</sup> Sanbar S., email communication with EUAA, 16 March 2024

<sup>12</sup> RSF, Draconian bills resubmitted to Iraqi parliament, 20 December 2022, [url](#)



to 50 million Iraqi dinars.<sup>13</sup> In a study published in February 2024, the United Nations Development Programme (UNDP) reported that the approval of the draft law has been suspended due to the opposition.<sup>14</sup>

In May 2023, Parliament held a second reading of a proposed law on Freedom of Expression and Peaceful Assembly. The draft law prohibits the undermining of ‘religions, religious beliefs, sects’. Under the proposed law, gatherings are allowed only upon prior permission from the authorities, obtained at least five days in advance.<sup>15</sup> Both draft laws raised significant criticism among international organisations and civil society groups due to the alleged risk of restricting freedom of expression by imposing imprisonment and fines.<sup>16</sup>

In an article published in March 2024 by The New Arab, a member of the Iraqi Parliament reported that the Coordination Framework was willing to pass the law.<sup>17</sup> A new Regulation (No. 1 of 2023) for Digital Content<sup>18</sup> was proposed on 16 March 2023. Such regulation, if passed, would allow authorities to remove online content, impose fines on content providers and issue criminal penalties against internet users.<sup>19</sup> The provision drew criticism among civil society organisations, warning of ‘serious implications’ on the rights to freedom of opinion and expression and restrictions of freedoms within the online civic space in Iraq.<sup>20</sup>

### **1.1.1. Members of political opposition parties, political and human rights activists, protesters**

#### **Members of political opposition parties**

Various sources reported that cases of violence towards political opponents by unidentified armed actors, Iran-backed militias, and groups linked to Popular Mobilisation Forces (PMF) occurred in both Federal Iraq and in the Kurdistan Region of Iraq (KRI).<sup>21</sup>

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<sup>13</sup> AI, Iraq: Draft laws threaten rights to freedom of expression and peaceful assembly, 18 July 2023, [url](#); RSF, Iraq, accessed 12 March 2024, [url](#); USCIRF, Country Update Iraq, September 2023, [url](#), p. 3

<sup>14</sup> UNDP, Media landscape in Iraq, 5 February 2024, [url](#), p. 8

<sup>15</sup> AI, Iraq: Draft laws threaten rights to freedom of expression and peaceful assembly, 18 July 2023, [url](#)

<sup>16</sup> IOHR, Press release regarding the draft law on freedom of expression and peaceful demonstration, 13 April 2023, [url](#); ICSSI, The draft law on freedom of expression, assembly, and peaceful protest threatens to further restrict constitutionally guaranteed democratic rights in Iraq, 13 April 2023, [url](#); AI, Iraq: Draft laws threaten rights to freedom of expression and peaceful assembly, 18 July 2023, [url](#); Freedom House, Freedom on the Net 2023, Iraq, 4 October 2023, [url](#); New York Times (The), As Iraq Tries to Chill Critics, Its Newest Target Is Social Media, 16 July 2023, [url](#)

<sup>17</sup> New Arab (The), Iraqi and Kurdish authorities under fire for ‘restricting freedom of expression’, 4 March 2024, [url](#)

<sup>18</sup> Knights M., Iraqi CMC Draft Regulation on Digital Content in Iraq, in: Washington Institute for Near East Policy, 16 May 2023, [url](#)

<sup>19</sup> Freedom House, Freedom on the Net 2023, Iraq, 4 October 2023, [url](#); Knights M. et al., Iraq’s New Regime Change: How Tehran-Backed Terrorist Organizations and Militias Captured the Iraqi State in: CTC Sentinel, December 2023, Volume 16, Issue 11, [url](#)

<sup>20</sup> Article 19, Iraq: Drop draft digital content legislation and protect free speech online, 16 March 2023, [url](#)

<sup>21</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 5; Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); IOHR, Threats and attacks against members of Parliament (MPs) who do not belong to influential forces, 2 August 2023, [url](#)



During the reference period of this report, political activists faced arrests and harassment for statements critical of authorities,<sup>22</sup> militias and Iran,<sup>23</sup> with the aforementioned Article 226 of the Penal Code being widely used against critics of Al Sudani's government.<sup>24</sup> Amnesty International (AI) also noted that persons expressing political criticism continued to be criminally prosecuted in Iraq.<sup>25</sup> For instance, in December 2022, activist Haidar al-Zaidi was sentenced to three years of prison under Article 226 of the Iraqi Penal Code for having published a tweet expressing criticism over a deceased head of the PMF. Human rights activists in Baghdad accused the PMF to be responsible for the arrest,<sup>26</sup> considering the judicial decision as 'an alarming escalation of legal threats against civil society'.<sup>27</sup> Al-Zaidi was eventually released and the charges against him dropped.<sup>28</sup> In February 2022, Ali Akram Al-Bayati, a prominent human rights defender and member of Iraq's High Commission for Human Rights (IHCHR), received a defamation legal complaint because of his investigation on allegations of torture of detainees.<sup>29</sup> The United Nations Committee Against Torture (UN CAT) underlined 'the lack of protection and immunity of the Iraqi High Commission for Human Rights' (IHCHR) members from retaliations and other types of intimidation while carrying out their official duties.<sup>30</sup>

In the KRI, some rival politicians were targeted and silenced.<sup>31</sup> For instance, activities of the New Generation Party and its affiliated media outlet, Nalia Radio and Television (NRT), were reportedly repressed in the KRI.<sup>32</sup> In August 2022, security forces arrested deputy members of an opposition Kurdish party that called for a public protest against the Kurdistan Regional Government (KRG) and accused the Patriotic Union of Kurdistan (PUK) of corruption.<sup>33</sup>

### Activists and protesters

In the KRI, mosque preachers have been arrested by Kurdish authorities for criticising the ruling regime over lack of provision of basic services.<sup>34</sup> KRG-security forces arbitrarily arrested and prosecuted activists and perceived critics.<sup>35</sup> Kurdistan Democratic Party (KDP) and PUK, each one with its security apparatus, repressed dissidents, and peaceful protesters. A climate of fear is reported by activists, both in Federal Iraq and in the KRI, resulting in self-censorship. Cases of ordinary citizens, unfamiliar with activism, being arrested for posting online content critical of authorities, were reported in 2022. According to Freedom House, these cases

<sup>22</sup> HRW, World Report 2023, 11 January 2024, [url](#); Foreign Policy, Iraq's Prime Minister Is Silencing Human Rights Advocates, 2 June 2022, [url](#)

<sup>23</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 17

<sup>24</sup> Al Kaabi A., Knights M., Iraq's "Resistance" Factions Shift to Major Crackdown on Media Spaces, Washington Institute for Near East Policy, 28 February 2024, [url](#)

<sup>25</sup> AI, Iraq: Government must match rhetoric on human rights with meaningful action, 15 March 2023, [url](#)

<sup>26</sup> HRW, Iraq: Activist Imprisoned for Peaceful Criticism of Security Forces, 6 December 2022, [url](#); BBC, Iraqi activist jailed over tweet 'insulting' Iran-backed militia force, 7 December 2022, [url](#)

<sup>27</sup> New Arab (The), HRW condemns sentencing Iraqi activist for three years over a Twitter post, 7 December 2022, [url](#)

<sup>28</sup> AI, Iraq: Open Letter to Prime Minister Al-Sudani: End Iraq's Reign of Impunity, 15 March 2023, [url](#)

<sup>29</sup> HRW, Drop Complaint Against Iraq Human Rights Commission Member, 10 March 2022, [url](#); Foreign Policy, Iraq's Prime Minister Is Silencing Human Rights Advocates, 2 June 2022, [url](#)

<sup>30</sup> UN CAT, Concluding observations on the second periodic report of Iraq \*, 15 June 2022, [url](#), para.40

<sup>31</sup> HRW, World Report 2024 Iraq, 11 January 2024, [url](#)

<sup>32</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>33</sup> BTI, 2024 Country Report, [url](#), p. 11

<sup>34</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>35</sup> AI, The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#)



supposedly indicate authorities' capacity to monitor social media.<sup>36</sup> Environmental activists also faced death threats, violence, intimidation and arbitrary detention by government officials and armed groups.<sup>37</sup>

The Gulf Centre for Human Rights (GCHR),<sup>38</sup> in September 2022, reported that a great number of peaceful demonstrators faced abduction and torture by non-state armed actors.<sup>39</sup> In its report on accountability in Iraq published in June 2022, the United Nations Assistance Mission for Iraq (UNAMI) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) highlighted a persistent climate of fear and intimidation due to the impunity of targeted killings of protesters by unidentified armed elements. According to the source, several activists had to relocate, including outside of Iraq, due to security reasons.<sup>40</sup> Violent repression of protesters and arrests of journalists covering protests continued in 2023.<sup>41</sup> In an article published in December 2023, Renad Mansour, a senior research fellow and project director of the Iraq Initiative at Chatham House, noted that the 'elite power' relies on security and judicial authorities to curb freedom of expression and protest, also by issuing arrest warrants to individuals being perceived as a threat.<sup>42</sup> Kidnapping, disappearance and killings were also used by militias to target protesters.<sup>43</sup>

In July 2022, after months of political deadlock following the October 2021 election, supporters of Muqtada Al-Sadr<sup>44</sup> prevented the functioning of Parliament for several months as a sign of prolonged protest, after the resignation of 73 legislators of the Sadrist Movement.<sup>45</sup> In August 2022, protests turned into violent clashes between Al-Sadr's militias, named Peace Brigades, and members of the Iraqi Security Forces (ISF). BBC reported that 'at least' 23 Al-Sadr's supporters were killed.<sup>46</sup> The UN documented 46 deaths and 300 injuries as a result of the clashes, which occurred in Baghdad on 29 and 30 August 2022.<sup>47</sup> Fighting stopped only after Al-Sadr's call to withdraw from the Green Zone and to end the protest,<sup>48</sup> clearing the way for the formation of a Coordination Framework-backed government in October 2022.<sup>49</sup>

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<sup>36</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>37</sup> HRW, Iraq: Environmentalists Face Retaliation, 23 February 2023, [url](#); UN Human Rights Council, UN Human Rights Chief ends visit to Iraq, Statement, Office of the High Commissioner for Human Rights, 9 August 2023, [url](#)

<sup>38</sup> The GCHR is a Lebanon-based NGO, which documents the situation of human rights defenders in the Gulf region and neighbouring countries since 2011, see GCHR, webpage, [url](#)

<sup>39</sup> GCHR, Patterns of Torture in Iraq, A Report by the Gulf Centre for Human Rights (GCHR), September 2022, [url](#), p. 12

<sup>40</sup> UNAMI/OHCHR, Update on Accountability in Iraq, Limited progress towards justice for human rights violations and abuses by 'Unidentified Armed Elements', June 2022, [url](#), pp. 10, 11

<sup>41</sup> HRW, World Report 2024 Iraq, 11 January 2024, [url](#)

<sup>42</sup> Mansour R., Tackling Iraq's unaccountable state in: Chatham House, 11 December 2023, [url](#)

<sup>43</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), pp. 4-5

<sup>44</sup> Muqtada al-Sadr is an influential Shia cleric, for more information see Reuters, Who is the Iraqi Shi'ite cleric Muqtada al-Sadr?, 20 July 2023, [url](#)

<sup>45</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>46</sup> BBC, Iraq: At least 23 dead amid fighting after Moqtada al-Sadr quits, 30 August 2022, [url](#)

<sup>47</sup> UNSC, Implementation of resolution 2631 (2022)

Report of the Secretary-General, 26 September 2022, [url](#), para.19

<sup>48</sup> BBC, Iraq: Tense calm in Baghdad after cleric issues appeal, [url](#), 30 August 2022

<sup>49</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)





Arrests of activists and politicians by security forces took place in August 2022, on occasion of a pre-announced protest in Sulaymaniyah, Erbil and Dohuk.<sup>50</sup> In September 2023, security forces opened fire against protesters in Kirkuk leading to the death of four persons and injuring of 16 persons.<sup>51</sup> In the KRI, authorities linked both to the KDP and the PUK, continued to restrict the possibility for protesters to gather,<sup>52</sup> arbitrarily arresting, prosecuting and imprisoning activists, journalists and individuals perceived as critics.<sup>53</sup> Security forces, including the Iraqi Security Forces, Federal Police, Popular Mobilisation Forces, and some units of Kurdistan Regional Government *Asayish* internal security services, reportedly acted with impunity, arresting suspects without any guarantees.<sup>54</sup>

During a visit held in Baghdad in August 2023, the United Nations High Commissioner for Human Rights raised concerns about the increasing restriction of civic space, calling on the Iraqi government to protect journalists, activists and human rights defenders from intimidation and interference.<sup>55</sup> As of February 2024, it is reported that Iran-backed militias targeted ‘unarmed activists’ and anti-corruption commentators.<sup>56</sup>

### Online activists

According to Michael Knights, since the 2019 Tishreen October protests’ movement, the Iraqi government and the PMF, focused on the control of online communities.<sup>57</sup> In January 2023, the Ministry of the Interior launched an online platform called ‘Ballegh’ to enable the public to submit complaints over so-called ‘derogatory or degrading’ online content.<sup>58</sup> The Ministry’s decision is based on Article 403<sup>59</sup> of the Iraqi Penal Code.<sup>60</sup> In the same month, the Iraqi government established a Committee to punish individuals being reported through such a platform.<sup>61</sup> See also [1.6 Individuals perceived as transgressing moral and religious norms](#). As of July 2023, the

<sup>50</sup> AI, Report 2022/23; The State of the World’s Human Rights; Iraq 2022, 27 March 2023, [url](#); Australia, DFAT, Country Information Report: Iraq, 16 January 2023, [url](#), p. 26; USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 13

<sup>51</sup> HRW, Iraq: Security Forces Open Fire on Kirkuk Protesters, 8 September 2023, [url](#)

<sup>52</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>53</sup> AI, Report 2022/23; The State of the World’s Human Rights; Iraq 2022, 27 March 2023, [url](#)

<sup>54</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), pp. 3, 7, 11, 12

<sup>55</sup> UNSC, Implementation of Resolution 2682 (2023): Report of the Secretary-General, S/2023/700, 26 September 2023, [url](#), para. 54

<sup>56</sup> Al Kaabi A., Knights M., Iraq’s “Resistance” Factions Shift to Major Crackdown on Media Spaces, Washington Institute for Near East Policy, 28 February 2024, [url](#)

<sup>57</sup> Knights M. et al., Iraq’s New Regime Change: How Tehran-Backed Terrorist Organizations and Militias Captured the Iraqi State in: CTC December 2023, Volume 16, Issue 11, [url](#)

<sup>58</sup> UNSC, Implementation of Resolution 2631 (2022): Report of the Secretary-General, S/2023/340, 11 May 2023, [url](#), para. 54; SMEX, Iraq’s Controversial “Ballegh” Platform for “Combating Indecent Content”, 15 February 2023, [url](#); Freedom House, Freedom on the Net; Iraq, 4 October 2023, [url](#)

<sup>59</sup> Article 403 reads: ‘Any person who produces, imports, publishes, possesses, obtains or translates a book, printed or other written material, drawing, picture, film, symbol or other thing that violates the public integrity or decency with intent to exploit or distribute such material is punishable by a period of detention not exceeding 2 years plus a fine not exceeding 200 dinars or by one of those penalties. The same penalty applies to any person who advertises such material or displays it in public or sells, hires or offers it for sale or hire even though it is not in public or to any person who distributes or submits it for distribution by any means. If the offence is committed with intent to deprave, it is considered to be an aggravating circumstances.’ Iraq, Iraqi Penal Code (Law No. 111 of 1969), 1969, [url](#), Art. 403

<sup>60</sup> SMEX, Iraq’s Controversial “Ballegh” Platform for “Combating Indecent Content”, 15 February 2023, [url](#)

<sup>61</sup> Shafaq News, Iraqi Interior Ministry imposes restrictions on social media users, 14 February 2023, [url](#); SMEX, Iraq’s Controversial “Ballegh” Platform for “Combating Indecent Content”, 15 February 2023, [url](#); AI, Iraq: Government must match rhetoric on human rights with meaningful action, 15 March 2023, [url](#)



head of the Committee declared to have received more than 150 000 complaints. Of those, 14 people were charged for publishing ‘indecent’ or ‘immoral’ content on social media.<sup>62</sup>

The definition of ‘indecent content’ drew criticism among civil society activists who highlighted the unclarity of the term, thus exposing activists posting online to arbitrary arrests<sup>63</sup> and self-censorship.<sup>64</sup> Between May and September 2023, UNAMI acknowledged the issue of self-censorship in social media and held talks with judiciary authorities about charges against journalists and civil society activists.<sup>65</sup>

Sarah Sanbar, Iraq researcher at Human Rights Watch, informed EUAA that the Ballegh platform was taken down a few months after its launch and it remained locked at the time of finalising this report.<sup>66</sup> The monitoring campaign does not appear to be implemented in a systematic way.<sup>67</sup> In an interview with SMEX, a non-profit organisation advocating for human rights in digital space, Hayder Hamzoz, the executive director of the Iraqi Network for Social Media (INSM), reported that the purpose of the Ballegh Platform is ‘to instil fear in bloggers criticising the constant political failures in Iraq’.<sup>68</sup> Judicial authorities expressed support to the Ministry of Interior for such initiative through a letter issued by the Supreme Judicial Council calling all courts and departments of the judiciary to prosecute individuals for ‘insulting state institutions’.<sup>69</sup>

### October 2019 Tishreen movement

In early October 2019, mass protests -commonly referred as Tishreen movement- erupted in multiple governorates across Iraq demanding systemic political reforms.<sup>70</sup> Protests were reportedly met with use of excessive force by security forces, resulting in death, injuries,<sup>71</sup> extrajudicial killings and enforced disappearances.<sup>72</sup>

In its Concluding observations on the second periodic report of Iraq, published in June 2022, UN CAT highlighted that only a small number of prosecutions have been undertaken to address the allegations of the excessive use of force, both by security forces and by unidentified armed actors, occurred during October 2019 Tishreen movement.<sup>73</sup> Legal accountability for the killing and disappearance of hundreds of protesters, including for the high-profile ones, had not been achieved.<sup>74</sup>

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<sup>62</sup> New York Times (The), As Iraq Tries to Chill Critics, Its Newest Target Is Social Media, 16 July 2023, [url](#)

<sup>63</sup> Mansour R., Tackling Iraq’s unaccountable state in Chatham House, 11 December 2023, [url](#); UNSC, Implementation of Resolution 2631 (2022): Report of the Secretary-General, S/2023/340, 11 May 2023, [url](#), para. 54;

<sup>64</sup> UNSC, Implementation of Resolution 2631 (2022): Report of the Secretary-General, S/2023/340, 11 May 2023, [url](#), para. 54; AI, Iraq: Joint statement: Iraqi authorities must cease chilling crackdown on free speech, 3 March 2023, [url](#)

<sup>65</sup> UNSC, Implementation of Resolution 2682 (2023): Report of the Secretary-General, S/2023/700, 26 September 2023, [url](#), para. 57

<sup>66</sup> Sanbar S., email communication with EUAA, 16 March 2024

<sup>67</sup> Sanbar S., email communication with EUAA, 16 March 2024

<sup>68</sup> SMEX, Iraq’s Controversial “Ballegh” Platform for “Combating Indecent Content”, 15 February 2023, [url](#)

<sup>69</sup> Al Jazeera, The long shadow of Saddam’s dictatorship in Iraq, 16 April 2023, [url](#); Chatham House, Tackling Iraq’s unaccountable state, 11 December 2023, [url](#)

<sup>70</sup> EPIC, The Long Game: Iraq’s “Tishreen” Movement and the Struggle for Reform, October 2021, [url](#)

<sup>71</sup> HRW, Four Years On, Peaceful Iraqi Protesters Remain Missing, 2 October 2023, [url](#)

<sup>72</sup> AI, Iraq: Four years after Tishreen protests, no justice for state and militia violence, 27 September 2023, [url](#)

<sup>73</sup> UN CAT, Concluding observations on the second periodic report of Iraq\*, 15 June 2022, [url](#), para. 32

<sup>74</sup> HRW, World Report 2024, Annual report on the human rights situation in 2023, 11 January 2024, [url](#)



GCHR reported that, in October 2022, security forces searched the home of activists in the governorates of Baghdad, Babil, Najaf, Thi-Qar and Basrah, days before the demonstrations aimed to commemorate the October 2019 Tishreen movement, to prevent them from participating in the demonstrations.<sup>75</sup> On 1 October 2023, security forces dispersed the demonstration for the commemoration of the fourth anniversary of the October 2019 protests. GCHR reported on the killing of a prominent activist on 14 October 2023 who took part in the October 2019 protests.<sup>76</sup> For more information on the Tishreen movement, see [EUAA COI Iraq Security Situation Report – January 2022](#).

### 1.1.2. Journalists and media workers

Reporters sans frontières (RSF) ranked Iraq 167th out of 180 countries in its World Press Freedom Index 2023,<sup>77</sup> due ‘in particular to the large number of journalists who are missing or held hostage’.<sup>78</sup> Anti-defamation crimes included in the Penal Code are often used to threaten, punish and intimidate journalists and internet users<sup>79</sup> and a ‘considerable’ number of Iraqi journalists faced legal proceedings.<sup>80</sup> Vaguely worded laws have been used to target and silence journalists, activists, and rival politicians, including in the KRI.<sup>81</sup> Human Rights Watch researcher Sarah Sanbar said that journalists or those with large social media followers perceived to ‘insult’ Iraqi or Kurdish authorities continue to face ‘serious repercussions, including arrest, harassment, kidnapping, arbitrary detention, and death threats, from both state and non-state actors.’<sup>82</sup> Journalists and online media outlets writing on corruption were particularly targeted, including with cyberattacks.<sup>83</sup>

In the KRI it included arbitrary arrests, prosecution and imprisonment of journalists,<sup>84</sup> especially local<sup>85</sup> and independent reporters.<sup>86</sup> In August 2022, dozens of journalists and activists were arrested prior to a planned protest aimed at expressing grievances towards the KRG,<sup>87</sup> against

<sup>75</sup> GCHR, GCHR’s 25th Periodic Report on Human Rights Violations in Iraq, 16 December 2022, [url](#)

<sup>76</sup> GCHR, GCHR’s 30th Periodic Report on Human Rights Violations in Iraq, 9 November 2023, [url](#)

<sup>77</sup> RSF, 2023 World Press Freedom Index, [url](#)

<sup>78</sup> RSF, 2023 World Press Freedom Index – journalism threatened by fake content industry, [url](#)

<sup>79</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); UN Iraq, Press release, International Day to End Impunity for Crimes against Journalists, 2 November 2022, [url](#); AI, Report 2022/23; The State of the World’s Human Rights; Iraq 2022, 27 March 2023, [url](#); UNDP, Media landscape in Iraq, 5 February 2024, [url](#), p. 24; CPJ, Iraqi Kurdish journalist Omed Baroshky charged with defamation over Facebook post, 28 February 2024, [url](#)

<sup>80</sup> IOHR, Press freedom in Iraq: two decades of bloodshed and impunity; 3 May 2023, [url](#)

<sup>81</sup> SMEX, Iraq’s Controversial “Ballegh” Platform for “Combating Indecent Content”, 15 February 2023, [url](#); Freedom House, Freedom on the Net: Iraq, 4 October 2023, [url](#); Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>82</sup> Sanbar S., email communication with EUAA, 16 March 2024

<sup>83</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>84</sup> AI, Report 2022/23; The State of the World’s Human Rights; Iraq 2022, 27 March 2023, [url](#); AI, Journalist Released After Three Years’ Imprisonment; Outcome UA: 28/21 [MDE 14/7732/2024], 26 February 2024, [url](#)

<sup>85</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); Marif D., Barzani’s Failures on Freedom of Expression in Iraqi Kurdistan in: Washington Institute for Near East Policy, 24 August 2022, [url](#)

<sup>86</sup> Columbia Journalism Review, ‘A kind of hell for journalists’, 6 April 2022, [url](#)

<sup>87</sup> HRW, World Report 2023, Iraq, [url](#)



corruption, poverty and unemployment.<sup>88</sup> In some cases, journalists in the KRI were detained with accusations of espionage.<sup>89</sup>

RSF observed that many journalists in Iraq were subjected to constant threats since the October 2019 Tishreen movement.<sup>90</sup> In its report covering the period from May 2022 until May 2023, the Iraqi Observatory for Human Rights (IOHR) noted that journalists are obliged to work in a dangerous environment, them being ‘a common target for all conflicting parties in Iraq’.<sup>91</sup>

Self-censorship is said to be widely spread in Iraq and in the KRI due to the risk of criminal penalties, retaliation by government authorities, political parties, and armed groups.<sup>92</sup> Freedom House observed that in the period between June 2022 and May 2023, authorities launched ‘a crackdown on social media users’, restricting internet freedom in both Federal Iraq and the KRI. Security forces arrested some internet users for their online content, including journalists, activists, and social media users who were targeted and physically assaulted.<sup>93</sup> These violations, which have created an environment of fear, have forced many Iraqi citizens to self-censor,<sup>94</sup> and others, particularly reporters, to leave the country.<sup>95</sup> Journalists are also led to self-censor due to death threats and abduction, targeting also less prominent journalists.<sup>96</sup> In an interview with Chatham House, an Iraqi journalist reported to have been advised by human rights defenders to ‘spend most of his time’ in the KRI or to stay under cover when in Baghdad due to his critical articles about armed groups. The journalist also added that many colleagues fear criticising armed groups in their reporting.<sup>97</sup> Female journalists are particularly subject to discrimination, harassment and extortion, especially those working on controversial issues for independent media.<sup>98</sup>

IOHR noted that, during clashes in Baghdad in August 2022 among the Al-Sadr affiliated Peace Brigades (also called Saraya Al-Salam), members of the PMF, and armed groups affiliated with other political parties - journalists considered as ‘enemies’ were directly targeted by all the conflicting parties.<sup>99</sup> During the protest that took place in July 2023 in Baghdad in front of the Swedish Embassy, several journalists were arrested by security forces.<sup>100</sup> Human Rights Watch also reported cases of shooting by security forces against reporters during protests in Kirkuk.<sup>101</sup>

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<sup>88</sup> HRW, Kurdistan Region of Iraq: Arrests to Deter Protest, 28 August 2022, [url](#)

<sup>89</sup> RSF, Iraq, accessed 12 March 2024, [url](#)

<sup>90</sup> RSF, Iraq, 2022, accessed 12 March 2024, [url](#)

<sup>91</sup> IOHR, Press freedom in Iraq: two decades of bloodshed and impunity, 3 May 2023, [url](#)

<sup>92</sup> Freedom House, Report on digital media and internet freedom (reporting period June 2022 - May 2023), 4 October 2023, [url](#)

<sup>93</sup> Freedom House, Freedom on the Net 2023, Iraq, 4 October 2023, [url](#)

<sup>94</sup> Freedom House, Freedom on the Net 2023, Iraq, 4 October 2023, [url](#); UNSC, Implementation of Resolution 2682 (2023): Report of the Secretary-General, S/2023/700, 26 September 2023, [url](#), para. 57

<sup>95</sup> Freedom House, Freedom on the Net 2023, Iraq, 4 October 2023, [url](#)

<sup>96</sup> RSF, Iraq, accessed 17 March 2024, [url](#)

<sup>97</sup> Mansour R., Tackling Iraq’s unaccountable state in: Chatham House, 11 December 2023, [url](#)

<sup>98</sup> UNDP, Media landscape in Iraq, 5 February 2024, [url](#), pp. 20-21

<sup>99</sup> IOHR, Press freedom in Iraq: two decades of bloodshed and impunity, 3 May 2023, [url](#)

<sup>100</sup> CNN, Protesters storm Swedish embassy in Iraq over Quran burning plan, 20 July 2023, [url](#)

<sup>101</sup> HRW, World Report 2024 Iraq, 11 January 2024, [url](#); HRW, Iraq: Security Forces Open Fire on Kirkuk Protesters, 8 September 2023, [url](#)



Violent repression of protesters and arrests of journalists covering protests continued in 2023<sup>102</sup> as reporters were in some cases physically assaulted and detained for covering demonstrations or other events.<sup>103</sup> As the media are particularly intertwined with politics in both Federal Iraq and in KRI,<sup>104</sup> employees of media outlets are also targeted based on the political affiliation of their employers.<sup>105</sup> Some media outlets have been subjected to politically motivated attacks<sup>106</sup> and programmes have been suspended if perceived to be critical of authorities.<sup>107</sup>

Freedom House reported that ‘militias frequently shoot, kidnap, torture, and assassinate journalists for their work.’ The Committee to Protect Journalists (CPJ) did not record any murder of journalists in Iraq within the reference period of this report.<sup>108</sup> RSF highlighted that the killing of journalists remains unpunished.<sup>109</sup> The weak response of the state is considered as a contributing factor to the rise of violence against journalists.<sup>110</sup>

### 1.1.3. Individuals with (perceived) affiliation to ISIL

Perceived affiliation to ISIL is mainly driven by family connections through a relative, even a distant family member,<sup>111</sup> actively involved with ISIL. The so-called ‘ISIL-families’<sup>112</sup> is a broad definition including: persons with no connection to ISIL;<sup>113</sup> a minority of persons ideologically attached to the group; ISIL-affiliated families returning to their original communities who undergo a reintegration process.<sup>114</sup> Identification of ISIL affiliation has been based on the mere suspicion about a relative being an ISIL supporter, in absence of any evidence<sup>115</sup> or any formal charges.<sup>116</sup> Perceived ISIL affiliation encompasses also first and second degree relatives, even up to the fourth-degree in some communities,<sup>117</sup> including children cleared of any involvement

<sup>102</sup> HRW, World Report 2024 Iraq, 11 January 2024, [url](#)

<sup>103</sup> UN High Commissioner for Human Rights, IRAQ - International Day to End Impunity for Crimes against Journalists, 2 November 2022, Press release, [url](#)

<sup>104</sup> RSF, Iraq, accessed 17 March 2024, [url](#)

<sup>105</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 28 7

<sup>106</sup> UN Iraq, Press release, International Day to End Impunity for Crimes against Journalists, 2 November 2022, [url](#); Freedom House, Freedom on the Net, 4 October 2023, [url](#)

<sup>107</sup> UN Iraq, Press release, International Day to End Impunity for Crimes against Journalists, 2 November 2022, [url](#)

<sup>108</sup> CPJ, Explore CPJ’s database of attacks on the press – Iraq, n.d., (filtered by dates from 2022 to 2024), [url](#)

<sup>109</sup> RSF, Iraq, accessed 17 March 2024, [url](#)

<sup>110</sup> IOHR, Press freedom in Iraq: two decades of bloodshed and impunity; 3 May 2023, [url](#)

<sup>111</sup> UNDP, Challenges for the Return and Reintegration of Women and Children, October 2022, [url](#), p. 16

<sup>112</sup> HRW, Iraq’s So-Called “ISIS Families”: Rounded up, Vilified, Forgotten, 14 November 2018, [url](#); for additional information on the categorisation of so called ‘ISIL families’ see New Lines (The), ISIS in Iraq: The Challenge of Reintegrating ‘ISIS Families’, 7 July 2020, [url](#)

<sup>113</sup> Peacemakers Network, Iraq after the Territorial Defeat of Islamic State, March 2023, [url](#), p. 23

<sup>114</sup> Cook, J., Distinguishing Children From ISIS-Affiliated Families in Iraq and Their Unique Barriers for Rehabilitation and Reintegration in: Perspectives on Terrorism, Volume XVII, Issue 3, September 2023, [url](#), p. 51

<sup>115</sup> UNDP, Challenges for the Return and Reintegration of Women and Children, October 2022, [url](#), p. 16

<sup>116</sup> Cook, J., Distinguishing Children From ISIS-Affiliated Families in Iraq and Their Unique Barriers for Rehabilitation and Reintegration in: Perspectives on Terrorism, Volume XVII, Issue 3, September 2023, [url](#), p. 51

<sup>117</sup> World Bank, Local Peace Agreements and the Return of IDPs with Perceived ISIL Affiliation in Iraq, January 2022, [url](#), p. 5., see also, UN Women, Zainab Qassim, an Iraqi Woman Mediator who Helped Reintegrate Families Accused of ISIS Affiliation into their Home Communities, 24 October 2022, [url](#)



in ISIL crimes.<sup>118</sup> Internally Displaced Persons (IDPs) within Iraq and families returning from Al Hol camp in Syria have been perceived as ISIL's affiliated.<sup>119</sup>

Since 2016, Iraqi civil and security apparatuses have reportedly targeted thousands of individuals with perceived affiliation to ISIL, leading to what has been referred by Amnesty International (AI) and United Nations Development Programme (UNDP) as a 'collective punishment' in various ways.<sup>120</sup> For example, individuals with perceived affiliation to ISIL were reportedly prevented from accessing civil documents necessary to access basic services and were restricted their freedom of movement.<sup>121</sup> Lack of acceptance by community, stigmatisation, violence and a heightened risk of revenge attacks were reported.<sup>122</sup>

Government discriminatory practices and social stigma are considered among the root causes which hindered the possibility for individuals perceived to be affiliated to ISIL to reintegrate into society.<sup>123</sup>

Based on a focus group conducted in December 2022 by Action against Hunger in five districts in Ninewa, Sunnis reported being singled out for discrimination for being perceived as ISIL supporters in Tel Afar.<sup>124</sup> Families from Sunni-majority areas are reported to fear being 'collectively stigmatized'.<sup>125</sup> Sunnis who lived in areas under ISIL's rule have been accused of ISIL's affiliation by PMF, irrespective of their degree of involvement with the group. In Tel Afar, PMF harassed Sunnis perceived to be affiliated to ISIL at checkpoints.<sup>126</sup> The suspicion of being ISIL-affiliated by both security actors and by the communities<sup>127</sup> might increase for a Sunni who did not return to the place of origin for a long period of time following the liberation of ISIL from those territories.<sup>128</sup> Cases of abuses and torture by both Security forces and PMF were reported during arrests and pre-trial detention, especially targeting Sunni Arabs.<sup>129</sup>

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<sup>118</sup> Cook, J., Distinguishing Children From ISIS-Affiliated Families in Iraq and Their Unique Barriers for Rehabilitation and Reintegration in: Perspectives on Terrorism, Volume XVII, Issue 3, September 2023, [url](#), p. 52

<sup>119</sup> United Nations University, UNIDIR, Rehabilitation and Reintegration of Children from Families with Perceived ISIL Affiliation: Experiences from Iraq and Al Hol, November 2022, [url](#), p. 7: More information on the definition and characteristic of the so-called ISIL families can be found at: New Lines Institute (The), ISIL in Iraq: The Challenge of Reintegrating 'ISIS Families', 7 July 2020, [url](#)

<sup>120</sup> AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#); UNDP, Challenges for the Return and Reintegration of Women and Children, October 2022, [url](#), pp. 16, 27

<sup>121</sup> AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#)

<sup>122</sup> Parry J. et al., in: UNIDIR, Coming Home: The Return and Reintegration of Families with Perceived ISIL Affiliation in Iraq, MEAC Findings Report, April 2023, [url](#), p. 7; Cook, J., Distinguishing Children From ISIS-Affiliated Families in Iraq and Their Unique Barriers for Rehabilitation and Reintegration in: Perspectives on Terrorism, Volume XVII, Issue 3, September 2023, [url](#), p. 52; AI Monitor, Life after al-Hol: Iraqi women's uneasy return from ranks of ISIS, 10 February 2024, [url](#); RFI, Country Overview Iraq, March 2023, [url](#), p. 4;

<sup>123</sup> War on the Rocks, Living In The Shadows: Iraq's Remaining Displaced Families, 3 February 2022, [url](#)

<sup>124</sup> Action Against Hunger, Drivers of Conflict and Community Tensions in Post-War Iraq, 5 May 2023, [url](#), p. 12

<sup>125</sup> Peacemakers Network, Iraq after the Territorial Defeat of Islamic State, March 2023, [url](#), p. 23

<sup>126</sup> Ceasefire Centre for Civilian Rights, 'They Are in Control': The rise of paramilitary forces and the security of minorities in Iraq's disputed Territories, January 2022, [url](#), p. 28

<sup>127</sup> IOM, Reimagining Reintegration, an Analysis of Sustainable Returns after Conflict, 30 March 2023, [url](#), p.8; UNDP, Affiliated with ISIL, October 2022, [url](#), p. 1; Ceasefire Centre for Civilian Rights, 'They Are in Control': The rise of paramilitary forces and the security of minorities in Iraq's disputed Territories, January 2022, [url](#), p. 28

<sup>128</sup> Ceasefire Centre for Civilian Rights, 'They Are in Control': The rise of paramilitary forces and the security of minorities in Iraq's disputed Territories, January 2022, [url](#), p. 28

<sup>129</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 7



Saddam Hussein’s tribe, named Albu Nasir, is also reported to face marginalisation due to perceived affiliation to ISIL.<sup>130</sup> See also [1.2.1 Sunni](#).

Data regarding the number of individuals with perceived affiliation to ISIL in Iraq vary according to sources. Estimates range from 250 000<sup>131</sup> to 300 000.<sup>132</sup> In 2019, the Iraqi Ministry of Interior announced its plan to detain up to 280 000 people with alleged ISIL’s affiliation,<sup>133</sup> most of whom were women and children.<sup>134</sup> In an article published by The New Lines in July 2020, it is reported that Iraqi authorities estimated 300 000 individuals with family connections to ISIL to be living in camps across ten governorates in Iraq.<sup>135</sup> According to the US Central Command (CENTCOM), as of December 2022, there were more than 20 000 ISIL leaders and fighters in detention in Iraq.<sup>136</sup>

ISIL’ suspects are charged under the Iraqi Anti-Terrorism Law No. 13 of 2005 in Federal Iraq<sup>137</sup> and under the Anti-Terror Law No. 3 of 2006 in the KRI.<sup>138</sup> Individuals accused or suspected to have supported ISIL are registered in a government database with limited possibility for them to appeal.<sup>139</sup> The framework for prosecution under the Anti-Terrorism Law is deemed as ‘exceptionally broad’,<sup>140</sup> both in Federal Iraq and in the KRI.<sup>141</sup> Such a legislation is reportedly used as a ‘pretext’ to unlawfully detain Sunni Arabs, including suspects of affiliation to ISIL,<sup>142</sup> especially in Sunni majority governorates such as Anbar, Salah al-Din, Kirkuk, and Ninewa,<sup>143</sup> as well as to suppress Sunni protests and detain young Sunni men.<sup>144</sup> Arrests conducted under the Anti-Terrorism Law tend to be carried out without warrants, which are usually been issued only after the arrest.<sup>145</sup> In trial procedures, defendants can be found guilty based on geographical origins.<sup>146</sup> Forced confessions are often used as the only evidence in anti-

<sup>130</sup> Guardian (The), Rifts remain in Saddam Hussein’s Iraq home town 20 years after his fall, 14 March 2023, [url](#)

<sup>131</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 40

<sup>132</sup> New Lines (The), ISIS in Iraq: The Challenge of Reintegrating ‘ISIS Families’, 7 July 2020, [url](#)

<sup>133</sup> HRW, Iraq: Confining Families With Alleged ISIS Ties Unlawful, 7 May 2019, [url](#)

<sup>134</sup> UNDP, Affiliated with ISIS, October 2022, [url](#), pp. 14, 16 ; Cook, J., Distinguishing Children From ISIS-Affiliated Families in Iraq and Their Unique Barriers for Rehabilitation and Reintegration in: Perspectives on Terrorism, Volume XVII, Issue 3, September 2023, [url](#), pp. 43, 51

<sup>135</sup> New Lines (The), ISIS in Iraq: The Challenge of Reintegrating ‘ISIS Families’, 7 July 2020, [url](#)

<sup>136</sup> Cook, J., Distinguishing Children From ISIS-Affiliated Families in Iraq and Their Unique Barriers for Rehabilitation and Reintegration in: Perspectives on Terrorism, Volume XVII, Issue 3, September 2023, [url](#), p. 43; US Central Command, Centcom – Year in Review 2022: The Fight against Isis, 29 December 2022, [url](#)

<sup>137</sup> HRW, Human Rights Watch Submission to the UN Human Rights Committee in Advance of its Review of Iraq, 25 January 2022, [url](#)

<sup>138</sup> UNAMI and OHCHR, Human Rights in the Administration of Justice in Iraq: Trials under the anti-terrorism laws and implications for justice, accountability and social cohesion in the aftermath of ISIL, January 2020, [url](#), p. 4

<sup>139</sup> War on the Rocks, Living In The Shadows: Iraq’s Remaining Displaced Families, 3 February 2022, [url](#)

<sup>140</sup> Parry J. et al., in: UNIDIR, Coming Home: The Return and Reintegration of Families with Perceived ISIL Affiliation in Iraq, MEAC Findings Report, April 2023, [url](#), pp. 7-8; US Central Command, Centcom – Year in Review 2022: The Fight against Isis, 29 December 2022, [url](#)

<sup>141</sup> UNAMI and OHCHR, Human Rights in the Administration of Justice in Iraq: Trials under the anti-terrorism laws and implications for justice, accountability and social cohesion in the aftermath of ISIL, January 2020, [url](#), p. 5

<sup>142</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 12

<sup>143</sup> ACLED, Coding Religious Repression and Disorder: Outcomes and Critical Reflections from the ACLED-Religion Pilot Project, 28 April 2022, [url](#)

<sup>144</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 12

<sup>145</sup> MENA Rights Group, Alternative report submitted in the context of the review of Iraq’s second period report (confidential), 16 March 2022, [url](#), p. 13

<sup>146</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 15



terrorism trials by courts.<sup>147</sup> Human Rights Watch observed that most of the roughly 8 000 prisoners who are on death row, are charged with terrorism crimes.<sup>148</sup> In 2023, UNAMI documented 29 executions. Additionally, the President of Iraq approved the order to execute another 275 individuals.<sup>149</sup> However, no information on the profile of the individuals who were executed or ordered to be executed was provided by the sources consulted in this report. Cases of forced disappearance of suspected ISIL fighters were also reported.<sup>150</sup>

In Federal Iraq and in the KRI, boys were, *inter alia*, subjected to proceedings for being accused of ISIL affiliation. As of March 2023, AI documented the cases of over 200 Iraqi boys accused of affiliation to ISIL being detained in Baghdad after their transfer from northern Syria, without any charge or trial.<sup>151</sup> For more information see [1.4.2 Children with perceived affiliation to ISIL](#).

### Treatment of family members

Exact figures on the numbers of families with perceived ISIL affiliation are difficult to estimate as this information is not recorded by humanitarian agencies and due the complexity of the definition of 'ISIL-affiliated' itself.<sup>152</sup> Involvement of one family member in ISIL's activities could reportedly have an impact on every family member, including in cases where support to the organisation was forced or in cases where accused individuals had no connection with ISIL.<sup>153</sup> In cases when one family member is accused to have sided with ISIL, this would lead to what has been defined as a 'collective punishment', where all the family would be 'shunned', resulting in displacement of thousands of people in underdeveloped areas without assistance.<sup>154</sup>

USDOS reported that family members of ISIL suspects, notably Sunni Arabs, have been arbitrarily detained to induce absconding family members to show up to the 'authorities'. Additionally, the same source stated that relatives of ISIL suspects have been subjected to movement restrictions, especially in formerly ISIL-controlled areas such as Anbar, Dohuk, Kirkuk, Ninewa, and Salah al-Din governorates.<sup>155</sup> While ISIL fighters are prosecuted under the state legal system,<sup>156</sup> families with perceived ISIL affiliation are required to undergo a combination of different justice mechanisms: intelligence, tribal, and state justice.<sup>157</sup> In

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<sup>147</sup> HRW, Iraq: Unlawful Mass Executions Resume, 24 January 2024, [url](#); MENA Rights Group, Alternative report submitted in the context of the review of Iraq's second period report (confidential), 16 March 2022, [url](#), p. 16; USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 6

<sup>148</sup> HRW, Iraq: Unlawful Mass Executions Resume, 24 January 2024, [url](#)

<sup>149</sup> UNSC, Implementation of resolution 2682 (2023), Report of the Secretary-General, 25 January 2024, [url](#), para.60

<sup>150</sup> Freedom in the World 2023 Iraq, 13 April 2023, [url](#); USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#) p. 11

<sup>151</sup> AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#)

<sup>152</sup> Parry J. et al., in: UNIDIR, Coming Home: The Return and Reintegration of Families with Perceived ISIL Affiliation in Iraq, MEAC Findings Report, April 2023, [url](#), p. 8

<sup>153</sup> Peacemakers Network, Iraq after the Territorial Defeat of Islamic State, March 2023, [url](#), p. 23; War on the Rocks, Living In The Shadows: Iraq's Remaining Displaced Families, 3 February 2022, [url](#)

<sup>154</sup> War on the Rocks, Living In The Shadows: Iraq's Remaining Displaced Families, 3 February 2022, [url](#)

<sup>155</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), pp. 19, 39, 40

<sup>156</sup> Thiefaïne. C., Iraqi Tribal Justice Put to the Test as Islamic State Families Return, 19 February 2021, [url](#)

<sup>157</sup> Bobseine, H., comments during external expert review of the report, 03 April 2023 originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#), p. 58





communities where a Local Peace Agreement (LPA) was signed, security clearance is applied to the whole family, resulting in the denial of clearance to wife and children in case when the head of household would have failed the vetting process.<sup>158</sup> At times, in trial procedures, defendants are reported to be found guilty based on family ties to another defendant.<sup>159</sup>

### Return of persons with perceived affiliation to ISIL

Return to communities of origin of individuals with perceived affiliation to ISIL can be hampered by security actors<sup>160</sup> and by local communities.<sup>161</sup> In the KRI, return of Arab families who fled in 2014 during the conflict with ISIL to villages bordering Syria is prevented by Kurdish authorities.<sup>162</sup> See [2.3.1. Entry, residency requirements and access to civil documentation and services](#)

Individuals displaced during ISIL conflict are required by the Iraqi government to undergo an administrative process to return to their communities. The process, which varies across governorates, sometimes<sup>163</sup> includes a security clearance issued by security and political actors. Individuals with perceived affiliation to ISIL are required to undergo *tabriya*,<sup>164</sup> a tribal procedure aimed to publicly disavow male family members to be accepted into a community and access civil documentation.<sup>165</sup> *Ikhbar*, a tribal procedure aimed at reporting a relative with perceived affiliation to ISIS, may be also requested. Resorting to *tabriya* or *ikhbar* can allow access to documents such as the Housing Card. Nonetheless, having gone through *tabriya* or *ikhbar* can be perceived by some actors as a confirmation of affiliation to ‘extremist groups’.<sup>166</sup>

For more information on tribal aspects related to the treatment of persons with perceived affiliation to ISIL, see the EUAA COI [Iraq: Arab tribes and customary law Report, April 2023](#).

<sup>158</sup> WBG, Local Peace Agreements and the Return of IDPs with Perceived ISIL Affiliation in Iraq, January 2022, [url](#), p. 25

<sup>159</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 15

<sup>160</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 12; Parry J. et al., in: UNIDIR, Coming Home: The Return and Reintegration of Families with Perceived ISIL Affiliation in Iraq, MEAC Findings Report, April 2023, [url](#), p. 10; Al Monitor, Life after al-Hol: Iraqi women’s uneasy return from ranks of ISIS, 10 February 2024, [url](#); UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 62, cited by UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 110, footnote 806

<sup>161</sup> UNDP, Affiliated with ISIS, October 2022, [url](#), pp. 17-18

<sup>162</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>163</sup> Parry J. et al., in: UNIDIR, Coming Home: The Return and Reintegration of Families with Perceived ISIL Affiliation in Iraq, MEAC Findings Report, April 2023, [url](#), p. 10; DRC/NRC, Life in the margins: Re-examining the needs of paperless people in post-conflict Iraq, [url](#), p. 43; UNDP, Pathways to Reintegration: IRAQ Families Formerly Associated with ISI, February 2021, [url](#), p. 16

<sup>164</sup> War on the Rocks, Living In The Shadows: Iraq’s Remaining Displaced Families, 3 February 2022, [url](#)

<sup>165</sup> J. Cook, Distinguishing Children from ISIS-Affiliated Families in Iraq and their Unique Barriers for Rehabilitation and Reintegration, September 2023, [url](#), p. 54; Parry J. et al., in: UNIDIR, Coming Home: The Return and Reintegration of Families with Perceived ISIL Affiliation in Iraq, MEAC Findings Report, April 2023, [url](#), p. 11; DRC/NRC, Life in the margins: Re-examining the needs of paperless people in post-conflict Iraq, [url](#), p. 19; UNDP, Pathways to Reintegration: IRAQ Families Formerly Associated with ISI, February 2021, [url](#), p. 19

<sup>166</sup> DRC/NRC, Life in the margins: Re-examining the needs of paperless people in post-conflict Iraq, [url](#), p. 19



## Civil documentation and security clearance

Return of IDPs to their communities of origin is hindered by lack of civil documentation and by the required security clearance to access offices issuing such documents.<sup>167</sup> In March 2021, the Iraqi Court of Cassation established that women with perceived ISIL affiliation are required by the Iraqi government to provide evidence of a death certificate or detention of the father of the child. Since many men disappeared or died during conflict, such a requirement is reportedly 'impossible' to obtain. In March 2022, courts across Iraq, following a request from the Forensics Department of the Ministry of Health in Baghdad, started to require DNA samples from up to three male paternal relatives to obtain a birth certificate or other civil documents for children. Such a process is reportedly lengthy and complex. In July of 2022, the High Judicial Council, the judicial advisory panel which oversees the Iraqi judiciary, confirmed the requirement of multiple DNA tests and re-affirmed that, for women with foreign ISIL-affiliated spouses, birth registration of children is impossible. In light of the above, access to civil documentation is reportedly available only for a limited minority of families with perceived affiliation to ISIL.<sup>168</sup>

Since 2014, individuals suspected to be affiliated with ISIL have been registered by Iraqi security actors in a database which included also first-degree relatives. To be removed by the database, a security clearance is needed. Security clearance, which is a prerequisite to access civil documentation and freedom of movement,<sup>169</sup> is difficult to obtain also due to lack of civil documentation needed to prove the identity of individuals undergoing such a procedure. The process to obtain security clearance is deemed as 'inconsistent and opaque', thus creating opportunity for corruption and abuses of power, including sexual abuse and extortion, smuggling and trafficking.<sup>170</sup> Security clearance is often denied by the authorities for IDPs with perceived affiliation to ISIL.<sup>171</sup> For what concerns the return of the so-called 'ISIL families' from Al Hol camp in Syria, this is further complicated due to the additional prerequisite of sponsorship by a trusted community member, usually a relative or a tribal leader.<sup>172</sup> (See [2.1.2. Entry, residency requirements and access to civil documentation and services](#)).

As reported by various NGOs and USDOS, after ISIL's defeat, the PMF prevented the return of residents to their homes, including Sunni Arabs and other ethnic and religious minorities.<sup>173</sup> IDPs have continued to face stigmatisation, discrimination, harassment, revenge killings, and difficulty to obtain security clearances and accessing reconstruction funds.<sup>174</sup> UNHCR noted that the lack of civil documentation by IDPs perceived to be affiliated to ISIL hampers their

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<sup>167</sup> United Nations University, UNIDIR, *The Road Home from Al Hol Camp: Reflections on the Iraqi Experience*, MEAC Findings Report 2024, December 2022, [url](#), pp. 32, 33; Al Monitor, *Life after al-Hol: Iraqi women's uneasy return from ranks of ISIS*, 10 February 2024, [url](#)

<sup>168</sup> DRC/NRC, *Life in the margins: Re-examining the needs of paperless people in post-conflict Iraq*, [url](#), p. 19

<sup>169</sup> DRC/NRC, *Life in the margins: Re-examining the needs of paperless people in post-conflict Iraq*, [url](#), p. 19

<sup>170</sup> UNDP, *Pathways to Reintegration: IRAQ Families Formerly Associated with ISIL*, February 2021, [url](#), p. 16

<sup>171</sup> USDOS, *2022 Country Report on Human Rights Practices: Iraq*, 20 March 2023, [url](#), p. 39

<sup>172</sup> United Nations University, UNIDIR, *Rehabilitation and Reintegration of Children from Families with Perceived ISIL Affiliation: Experiences from Iraq and Al Hol*, November 2022, [url](#), p. 7

<sup>173</sup> USDOS, *2022 Country Report on Human Rights Practices: Iraq*, 20 March 2023, [url](#), pp. 29, 33, 34

<sup>174</sup> HRW, *Interview with EUAA*, 13 March 2023, originally cited in EUAA, *COI Report, Iraq: Arab tribes and customary law*, April 2023, [url](#); USDOS, *2022 Country Report on Human Rights Practices: Iraq*, 20 March 2023, [url](#), p. 40



access to basic services such as education, healthcare, and social security benefits, leading to restricted freedom of movement and increased risk of arrest.<sup>175</sup>

Return to the community of origin is often rejected for families from Al Hol camp in Syria and IDPs with perceived links to ISIL, often being excluded and stigmatised by their communities,<sup>176</sup> subjected to revenge attacks, violence<sup>177</sup> and sexual assault.<sup>178</sup> According to one interviewee by The Guardian in June 2023 living in Jeddah 1 camp,<sup>179</sup> her tribe would not allow her return to her community of origin due to a relative's connection with ISIL.<sup>180</sup> Many so-called 'ISIL families' cannot return to their home villages because of the application of tribal law, such as *tabriya* or *diyya*, a monetary compensation tribal mechanism aimed to settle crimes.<sup>181</sup> At times, tribal leaders and *mukhtar* reportedly played a key role in encouraging community cohesion and acceptance towards families with perceived ISIL affiliation.<sup>182</sup> Societal stigmatisation by communities from where IDPs originates have been intensified whenever an attack by ISIL occurs.<sup>183</sup> Due to the inability to move freely, IDP households are reported to struggle to access livelihoods.<sup>184</sup>

Since the launch of an extensive repatriation programme in 2021,<sup>185</sup> the Iraqi government is speeding up the process for the return of individuals from Al Hol camp in North-East Syria.<sup>186</sup> Among these individuals there are 'wives and children of Islamic State fighters but also supporters of the militant group'.<sup>187</sup> Returnees are temporarily accommodated in a 'rehabilitation centre', in Jeddah 1,<sup>188</sup> before being able to return to their areas of origin or

<sup>175</sup> UNHCR, Access to civil documentation IDPs and IDPs returnees in Iraq 2022-2023, 24 August 2022, [url](#)

<sup>176</sup> UNDP, Affiliated with ISIS: Challenges For The Return And Reintegration Of Women And Children, [url](#), p. 68; IRC Protection Needs Overview: Monitoring and Trends (April 2023 – September 2023), 10 December 2023, [url](#), p. 6; UNSC, Conflict-related sexual violence Report of the Secretary-General, 22 June 2023, [url](#), para: 37

<sup>177</sup> Rehabilitation and Reintegration of Children from Families with Perceived ISIL Affiliation: Experiences from Iraq and Al Hol, [url](#), p. 7

<sup>178</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>179</sup> Jeddah 1 is designated by the Iraqi government as a 'rehabilitation centre' where returnees are temporarily accommodated before being able to return to their areas of origin or integration; see United Nations University, UNIDIR, The Road Home from Al Hol Camp: Reflections on the Iraqi Experience, MEAC Findings Report 2024, December 2022, [url](#), pp. 7-8; New Humanitarian (The), In Iraq, a rushed camp closure fuels unease over the safety of IS returns, 24 August 2023, [url](#); Al Monitor, Life after al-Hol: Iraqi women's uneasy return from ranks of ISIS, 10 February 2024, [url](#); UNDP, Affiliated with ISIS: Challenges for the Return And Reintegration of Women and Children, [url](#), p. 36

<sup>180</sup> Guardian (The), The people don't want us': inside a camp for Iraqis returned from Syrian detention, 15 June 2023, [url](#)

<sup>181</sup> Thiefaïne. C., Iraqi Tribal Justice Put To The Test As Islamic State Families Return, 19 February 2021, [url](#)

<sup>182</sup> Perry J., et al., Coming Home: The Return and Reintegration of Families with Perceived ISIL Affiliation in Iraq, MEAC Findings Report, UNIDIR, April 2023, [url](#), p. 14

<sup>183</sup> UNDP, Affiliated With Isis: Challenges For The Return And Reintegration Of Women And Children, [url](#), p. 25

<sup>184</sup> United Nations University, UNIDIR, Rehabilitation and Reintegration of Children from Families with Perceived ISIL Affiliation: Experiences from Iraq and Al Hol, [url](#), p. 7

<sup>185</sup> Al Monitor, Life after al-Hol: Iraqi women's uneasy return from ranks of ISIS, 10 February 2024, [url](#)

<sup>186</sup> AP News, Iraq steps up repatriations from Islamic State camp in Syria, hoping to reduce militant threats, 15 September 2023, [url](#); Guardian (The), 'The people don't want us': inside a camp for Iraqis returned from Syrian detention, 15 June 2023, [url](#); IOM, Emerging practices of rehabilitation in Muslim-majority countries, 7 February 2024, p. 14, [url](#)

<sup>187</sup> AP News, Iraq steps up repatriations from Islamic State camp in Syria, hoping to reduce militant threats, 15 September 2023, [url](#)

<sup>188</sup> New Humanitarian (The), In Iraq, a rushed camp closure fuels unease over the safety of IS returns, 24 August 2023, [url](#); Al Monitor, Life after al-Hol: Iraqi women's uneasy return from ranks of ISIS, 10 February 2024, [url](#)



being integrated.<sup>189</sup> As of January 2024, 7 575 individuals have been repatriated to Iraq,<sup>190</sup> while 3 079 individuals remain in Jeddah 1 camp.<sup>191</sup> For instance, in Tel Afar, the local agreement signed in 2018 by Shia and Sunni tribal leaders contained a provision preventing the return of first-degree relatives of any person involved in terrorist acts, unless they underwent *tabriya*.<sup>192</sup>

For more information on tribal aspects related to the treatment of persons with perceived affiliation to ISIL, see the EUAA COI report [Iraq: Arab tribes and customary law Report, April 2023](#).

Additional concerns over the return of families with ISIL ties arose also in consideration of the rushed closure in April 2023 of Jeddah 5, the last official camp for IDPs in Iraq.<sup>193</sup> The closure occurred within short notice and without preparation for communities of return and for the so called 'ISIL families'.<sup>194</sup> For more information on IDPs, see [EUAA 2024 Iraq -Security Situation Report](#).

Law n. 20/2009<sup>195</sup> on reparation for civil victims of the war has been reportedly implemented in a discriminatory manner for persons perceived to be affiliated to ISIL, preventing them from receiving or applying for compensation.<sup>196</sup>

## 1.2. Ethnic and religious minorities

The Iraqi Constitution<sup>197</sup> recognises freedom of religion and belief,<sup>198</sup> stipulating that Islam is the official religion in Iraq.<sup>199</sup> The Personal Status Law recognises a list of registered religious groups, allowing them to perform legal transactions and to appoint legal representatives.<sup>200</sup> The religious groups recognised by the law are: Muslim, Chaldean, Assyrian, Assyrian Catholic, Syriac Orthodox,

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<sup>189</sup> UNDP, Affiliated with ISIS: Challenges For The Return And Reintegration Of Women And Children, [url](#), p. 36

<sup>190</sup> Al Monitor, Life after al-Hol: Iraqi women's uneasy return from ranks of ISIS, 10 February 2024, [url](#)

<sup>191</sup> UNSC, Implementation of resolution 2682 (2023), Report of the Secretary-General, 25 January 2024, [url](#), para.71

<sup>192</sup> Ceasefire Centre for Civilian Rights, 'They Are in Control': The rise of paramilitary forces and the security of minorities in Iraq's disputed Territories, January 2022, [url](#), p. 28

<sup>193</sup> HRW, World Report 2024: Iraq, 11 January 2024, [url](#)

<sup>194</sup> New Humanitarian (The), In Iraq, a rushed camp closure fuels unease over the safety of IS returns, 24 August 2023, [url](#); AP News, Residents, aid workers surprised by closure of Iraqi camp, 18 April 2023, [url](#); Rudaw, UN 'concerned' about hasty closure of IDP camp in Nineveh, 19 April 2023, [url](#)

<sup>195</sup> Iraq, Law n. 20/2009, [url](#)

<sup>196</sup> Human Rights Watch, Iraq: Compensation for ISIS Victims Too Little, Too Late, 9 May 2023, [url](#)

<sup>197</sup> Article 2 (1) reads: 'Islam is the official religion of the State and is a foundation source of legislation: A. No law may be enacted that contradicts the established provisions of Islam, B. No law may be enacted that contradicts the principles of democracy, C. No law may be enacted that contradicts the rights and basic freedoms stipulated in this Constitution'. Article 2 (2) reads: 'This Constitution Guarantees the Islamic identity of the majority of the Iraqi people and guarantees the full religious rights to freedom of religious Belief and practice of all individuals such as Christians, Yazidis, and Mandaean Sabians'. Iraq, Constitution of the Republic of Iraq, 15 October 2005, [url](#), Art. 2 (1), Art. 2 (2)

<sup>198</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url url](#), p. 6; Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>199</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 1

<sup>200</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), pp. 7-8; RFI, Country Overview Iraq, March 2023, [url](#), p. 4



Syriac Catholic, Armenian Apostolic, Armenian Catholic, Roman Catholic, National Protestant, Anglican, Evangelical Protestant Assyrian, Seventh-day Adventist, Coptic Orthodox, Yazidi, Sabean-Mandean and Jewish. Moreover, personal status courts are established for each recognised religious groups, ruling on disputes related to marriage, divorce, and inheritance. However, according to the government, there is no personal status court for Yazidis.<sup>201</sup> Baha'i, Zoroastrian, and Kaka'i religions are not recognised. While in the KRI, Baha'i faith is recognised, the Federal law prohibits the practice of Baha'i religion, foreseeing sentences up to 10 years of prison for the practitioners. However, USDOS reported that this law is not enforced.<sup>202</sup>

The Iraqi Penal code does not contain any provision regarding conversion.<sup>203</sup> Personal status laws and regulations prohibit the conversion of Muslims to other religions.<sup>204</sup> By law, converts to Christianity are considered as Muslims. In contrast, a non-Muslim individual can convert to Islam through a 'simple process'. According to Christian leaders, authorities continued to force Christian families to register their children as Muslims in order for them to access civil documentation.<sup>205</sup> Children with one Muslim parent are automatically registered as Muslims.<sup>206</sup> (See [1.2.3. Conflict-related sexual violence](#)). Organisations that declare any Muslims as apostates, including ISIL, are forbidden according to the law.<sup>207</sup> Apostasy cases are adjudicated under *Sharia* law.<sup>208</sup> Blasphemy is criminalised under the Penal Code.<sup>209</sup> Nonetheless, the law is rarely enforced.<sup>210</sup> In some cases, blasphemy laws can be used against Christians suspected to proselytise among Muslims.<sup>211</sup> According the Iraqi Personal Status Law No. 188/1959 (IPSL), Muslim men are allowed to marry a non-Muslim woman, belonging to Christian, Jewish, or Sabean Mandean faith, while it prohibits Muslim women from marrying non-Muslims.<sup>212</sup> Sunni-Shia marriages are permissible under Iraqi law.<sup>213</sup>

For more information on the treatment of converts and atheists and individuals engaged in inter-sect/inter-faith marriages see [1.6.2 Converts and atheists](#) and [1.6.3 Individuals in inter-sect/inter-faith marriages](#).

<sup>201</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 8

<sup>202</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), pp. 6, 8, 24

<sup>203</sup> Iraq, Penal Code, No. 111 of 1969, July 1969, [url](#)

<sup>204</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 6; Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), p. 7

<sup>205</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 21

<sup>206</sup> Iraq, National Card Law, No. (3) of 2016, [url](#); Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); RFI, Country Overview Iraq, March 2023, [url](#), p. 4; UN Human Rights Committee, Concluding Observations on the 6th Periodic Report, 16 August 2022, [url](#), para. 30

<sup>207</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 6

<sup>208</sup> USCIRF, Compendium, [url](#), p. 10; Iraq, Personal Status Law and its amendments, Law N° (188) of the year 1959, [url](#)

<sup>209</sup> USCIRF, Violating rights, Enforcing the world's blasphemy laws, 2020, [url](#), p. 65

<sup>210</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>211</sup> Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), p. 3

<sup>212</sup> Iraq, Personal Status Law and its amendments, Law N° (188) of the year 1959, [url](#); USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 7; USCIRF, 2023 Anti-Conversion Laws Compendium, [url](#), p. 21; RFI, Country Overview Iraq, March 2023, [url](#), p. 4; UN Human Rights Committee, Concluding Observations on the 6th Periodic Report, 16 August 2022, [url](#), para. 30

<sup>213</sup> Sanbar S., email communication to EUAA, 16 March 2024



Participation of minorities to political life is hindered by lack of a meaningful political representation.<sup>214</sup> A quota system is in place to nominally ensure a representation of smaller religious and ethnic minorities in the Council of Representatives.<sup>215</sup> In Iraq, a total of nine out of 329 seats are assigned to minorities from different provinces,<sup>216</sup> five seats are reserved for Christians and one seat each for Fayli Kurds, Yazidis, Sabeen Mandeans, and Shabaks. In the KRI, five seats are reserved for Turkmen, five for Christians, and one for Armenians.<sup>217</sup> Similarly, in the KRI political participation of the minorities remains weak due to the power of ruling political party, such as KDP.<sup>218</sup> The widespread displacement from areas formerly occupied by ISIL is an additional factor that has hindered the political rights of minority groups.<sup>219</sup> In February 2024, Iraq's federal court ruled that the Kurdistan Region parliament's minority quota seats are "unconstitutional", rejecting the legitimacy of the legislature's 11 minority seats.<sup>220</sup>

The draft laws on Cybercrime and Freedom of Expression and Peaceful Assembly, re-introduced to Parliament between November 2022 and May 2023, if passed, could be used as a means to target religious minorities and atheists, restricting religious expression, livelihoods and assembly.<sup>221</sup> As of February 2024, the approval of the draft law on Cybercrime has reportedly been postponed due to the opposition.<sup>222</sup> See [1.1.1 Members of political opposition parties, political and human rights activists, protesters.](#)

### 1.2.1. Treatment of ethno-religious minorities

Decades of conflict and violence severely affected the historical ethnic and religious diversity of the country, particularly ethno-religious minorities,<sup>223</sup> and intensified current sectarian divisions and mistrust among communities.<sup>224</sup> Notwithstanding the recognition of freedom of religion and belief enshrined in the Iraqi Constitution, legislative framework and customs reportedly favour the Muslim majority.<sup>225</sup> Members of religious minority groups continue to experience 'social and political disenfranchisement and restrictions on their freedom of religion or belief'.<sup>226</sup> In some cases, misconceptions and stereotypes reportedly fuelled hate speech against minorities.<sup>227</sup> Non-Muslim minority groups reported instances of abductions, threats, pressure and harassment with the aim to force them to observe Islamic traditions, mainly by Iran-backed militia groups.<sup>228</sup>

<sup>214</sup> USCIRF, Country Update Iraq, September 2023, [url](#), p. 1; MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, [url](#); Manara Magazine, The Political Marginalisation of Ethnic and Religious Minorities in Iraq, 17 March 2022, [url](#);

<sup>215</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>216</sup> USCIRF, Country Update Iraq, September 2023, [url](#), p.3

<sup>217</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>218</sup> Manara Magazine, The Political Marginalisation of Ethnic and Religious Minorities in Iraq, 17 March 2022, [url](#)

<sup>219</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); RFI, Country Overview Iraq, March 2023, [url](#), p. 4

<sup>220</sup> Rudaw, Iraq's top court rules against Kurdistan Region parliament minority seats, 21 February 2024, [url](#)

<sup>221</sup> USCIRF, Country Update Iraq, September 2023, [url](#), p.3; AI, Iraq: Draft laws threaten rights to freedom of expression and peaceful assembly, 18 July 2023, [url](#)

<sup>222</sup> UNDP, Media landscape in Iraq, 5 February 2024, [url](#), p. 8

<sup>223</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, [url](#)

RFI, Country Overview Iraq, March 2023, [url](#), p. 4

<sup>224</sup> JISRA, JISRA in Iraq, August 2022, [url](#), p. 1; USCIRF, Country Update Iraq, September 2023, [url](#), p. 1

<sup>225</sup> Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 17; MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, [url](#)

<sup>226</sup> USCIRF, Country Update Iraq, September 2023, [url](#)

<sup>227</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, [url](#)

<sup>228</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 30



According to USCIRF, the PMF is considered as one of the most ‘widespread and politically empowered impediments’ to religious freedom in Iraq.<sup>229</sup> Iran-backed PMF militias were reportedly involved in killing, kidnapping, and extortion, particularly in ethnically and religiously mixed provinces.<sup>230</sup>

Violence and displacement due to religious identity still occur. Reportedly, discrimination is mostly experienced in areas where the targeted religious and ethnic groups are a minority, leading to displacement of those groups in other areas.<sup>231</sup> In the KRI, IDP minority groups experienced property theft and discrimination in accessing labour market.<sup>232</sup>

## Sunnis

PMF militias in Mosul and Ninewa intensified political oppression and extortion towards Sunnis, particularly following the October 2021 election.<sup>233</sup> Unlawful detention of minority groups by PMF in Ninewa governorate, notably Kurds, Turkmen and Christians, was reported. Detainees were arrested on a sectarian basis and held in secret prisons in Ninewa.<sup>234</sup> As emerged in a focus group conducted in December 2022 by Action against Hunger in five districts in Ninewa, sectarian and tribal tensions persist, while societal cohesion may vary depending on communities. For instance, in Tal Afar, it emerged that fears of violence based on religious affiliation continue and that Sunnis feel discriminated against for being perceived as ISIL supporters. In Sinjar, tensions between Yazidis and Sunnis were reported.<sup>235</sup> In Mosul, PMF-affiliated groups, such as Kataib Babiliyoun<sup>236</sup> and Shabak Hashd<sup>237</sup> ‘indiscriminately harass, intimidate, and arrest Sunni civilians’.<sup>238</sup> Sunni Arabs were also unlawfully detained, amounting to 90 % of all prisoners in detention in Iraq, and were subjected to torture to extract confessions.<sup>239</sup> According to the Joint Initiative for Strategic Religious Action (JISRA),<sup>240</sup> as of August 2022, security forces continued to arbitrarily detain, deny fair trials, and forcibly disappear Sunni Arabs because of suspicions of their affiliation to ISIL.<sup>241</sup>

Sunni Arabs were particularly subjected to ‘abuses and tortures’ during arrest and pretrial detention by Federal Police, NSS, PMF<sup>242</sup> and they were regularly targeted at PMF

<sup>229</sup> USCIRF, Country Update Iraq, September 2023, [url](#), p. 3

<sup>230</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 5

<sup>231</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); RFI, Country Overview Iraq, March 2023, [url](#), p. 4

<sup>232</sup> USCIRF, Country Update Iraq, September 2023, [url](#), p. 5

<sup>233</sup> Brookings, New Vulnerabilities for Iraq’s Resilient Popular Mobilization Forces, 3 February 2022, [url](#)

<sup>234</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 12

<sup>235</sup> Action Against Hunger, Conflict sensitivity assessment in Ninewa, 27 January 2023, [url](#), pp. 4, 12; Sipri, Post-Conflict Reconstruction in The Nineveh Plains of Iraq, November 2022, [url](#), p. 20

<sup>236</sup> For more information, see: Knights M., Beth-Addai Y., Profile: Kataib Babiliyoun (50th PMF Brigade), 16 March 2023, [url](#)

<sup>237</sup> For more information, see: Malik H., Profile: Hashd al-Shabak (30th PMF Brigade), 22 June 2022, [url](#)

<sup>238</sup> Bertelsmann Foundation, Iraq Country Report 2022, 23 February 2022, [url](#)

<sup>239</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 32

<sup>240</sup> JISRA (Joint Initiative for Strategic Religious Action) is an international interfaith consortium and is based on a partnership of 50 civil society organisations based in Ethiopia, Indonesia, Iraq, Kenya, Mali, Nigeria and Uganda. The consortium consists of Mensen met een Missie, Faith to Action Network, Tearfund (UK and Netherlands) and Search For Common Ground.

<sup>241</sup> JISRA, JISRA in Iraq, August 2022, [url](#), p. 1

<sup>242</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 7



checkpoints for alleged ISIL affiliation.<sup>243</sup> USDOS reported that, during 2022, in some cases, Sunni individuals were accused of ISIL affiliation to silence their criticism and were held in secret detention centres by the PMF. According to the same source, in Ninewa province, Sunni Turkmen were targeted by PMF at checkpoints and asked for PMF clearance in order to obtain government documentation. It is reported that Shia-backed PMF militia committed physical abuses on Sunni civilians as a reprisal for ISIL crimes against Shias. In November 2022, allegations were raised by Sunni representatives in the parliament over the PMF preventing displaced Sunnis in Salah al-Din, Diyala, and Ninewa Province to return to their areas of origins.<sup>244</sup> See also [1.1.3 Individuals with \(perceived\) affiliation to ISIL](#).

## Christians

After 2003, most members of Christian communities from central and southern governorates fled to the KRI to escape sectarian violence.<sup>245</sup> According to Open Doors, the Iraqi government mostly tolerates historical churches. Members of historical Christian communities (i.e. mostly Greek Orthodox and Roman Catholic churches) as well as Evangelical, Baptist and Pentecostal churches in Baghdad and Basra, have however been 'affected by violations from radical Islamic movements and non-Christian leaders, including discrimination from the authorities.'<sup>246</sup> Sources reported that Christians in Iraq have been exposed to harassment, discrimination and violence,<sup>247</sup> with alleged tolerance of such targeting by authorities.<sup>248</sup> Instances of land and properties grabbing from Christians occurred,<sup>249</sup> particularly in Ninewa plains. In the same area, Christians accused government officials of promoting a demographic change in favour of Shia Shabak, also in light of the fact that most Christians did not return to their areas of origin after ISIL's defeat.<sup>250</sup> According to USCIRF, the PMF continued to target Christians through enforced disappearance, extortion, and physical violence, as well as by controlling small communities imposing checkpoints and curfews. The same source stated that restrictions on transporting goods between villages were also applied to Christian business owners and farmers.<sup>251</sup> Following the entry into force of the law banning alcohol in February 2023, Christian politicians asked for the overturn of the law claiming that it did not take into account the right of minorities, restricting their freedom.<sup>252</sup> (See [1.6 Individuals perceived as transgressing moral and religious norms](#)). In the KRI, Christians were not reported to experience interference by the government in their religious practices.<sup>253</sup>

<sup>243</sup> USCIRF, Country Update Iraq, 2022, April 2022, [url](#)

<sup>244</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 12

<sup>245</sup> CFRI, Christians in Post-2003 Iraq: Fragmentation Dynamics, Ethnic and Sectarian Fault Lines, 11 August 2023, [url](#); Rudaw, Iraqi Christians exodus leaves churches empty in the south, 25 January 2024, [url](#)

<sup>246</sup> Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), p. 3

<sup>247</sup> CFRI, Christians in Post-2003 Iraq: Fragmentation Dynamics, Ethnic and Sectarian Fault Lines, 11 August 2023, [url](#); USCIRF, Country Update Iraq, September 2023, [url](#), p. 4

<sup>248</sup> USCIRF, Country Update Iraq, September 2023, [url](#), p. 4

<sup>249</sup> Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), p. 5

<sup>250</sup> IOM, Barriers to Return for Ethno-Religious Minorities in Iraq: Identity Politics and Political Patronage Among Yazidi and Christian Communities from Ninewa Governorate, January 2020, [url](#), p. 29; CFRI, Christians in Post-2003 Iraq: Fragmentation Dynamics, Ethnic and Sectarian Fault Lines, 11 August 2023, [url](#); SIPRI, Post-Conflict Reconstruction In The Nineveh Plains Of Iraq, November 2022, [url](#), pp. 20-22

<sup>251</sup> USCIRF, Country Update Iraq, September 2023, [url](#), p. 4

<sup>252</sup> BBC, Iraq alcohol ban: Christian political party appeals, saying it is undemocratic, 6 March 2023, [url](#); Al Monitor, 'Iraq is not an Islamic country': Minorities protest Baghdad's alcohol ban as unconstitutional, 12 March 2023, [url](#)

<sup>253</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#)





## Yazidis

Yazidis still face discrimination,<sup>254</sup> particularly by the PMF,<sup>255</sup> who have continued to engage in acts of violence, extortion and enforced disappearance.<sup>256</sup> In December 2022, the Iraqi Council of Ministers issued a decree granting Yazidis ownership of their residential properties in Sinjar.<sup>257</sup> Progress has been reportedly achieved by the government in the further implementation of the Yazidi Survivors Law.<sup>258</sup> The law was adopted by the government in 2021 to provide compensation for Yazidis and other ethnic minorities such as Turkmen, Christians, and Shabaks.<sup>259</sup> First reparations were distributed in March 2023, but significant obstacles to the law's full implementation have remained in place.<sup>260</sup> Despite the progress achieved, Yazidis have remained marginalised, with constraints including accessing the labour market.<sup>261</sup> In April 2023, a campaign of hate speech reportedly targeted the Yazidi community based on accusation of burning a mosque in Sinjar.<sup>262</sup> In the KRI, Yazidis were not reported to experience interference by authorities in their religious observances.<sup>263</sup> For information on Yazidi children, see section [1.4.2 Children with perceived affiliation to ISIL](#).

## Other ethnic and religious minorities

While Baha'i faith is recognised in the KRI<sup>264</sup> by law, it is forbidden in Federal Iraq, although the ban is not enforced.<sup>265</sup> Believers are not recognised as members of a minority religion,<sup>266</sup> living in a condition of longstanding isolation.<sup>267</sup> Due to challenges in obtaining identity documents and due to discrimination they face, many Baha'i are reported as stateless.<sup>268</sup> Additionally, since Baha'i marriages are unregistered, children born to such marriages effectively become stateless.<sup>269</sup>

According to the Coalition for Religious Equality and Inclusive Development (CREID), Sabean-Mandean are reported to live in 'constant threat' from extremist Islamist groups, without protection granted by the authorities, and vulnerable to seizure of lands.<sup>270</sup> Sabean-Mandean

<sup>254</sup> Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), p. 8

<sup>255</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#)

<sup>256</sup> USCIRF, Country Update Iraq, September 2023, [url](#), p. 4

<sup>257</sup> USDOS, 2023 Report to Congress on Section 5 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (P.L. 115-441) [as amended], 2 August 2023, [url](#); USCIRF, Country update Iraq 2023, September 2023, [url](#)

<sup>258</sup> Iraq, Law No.8 of 2021 - Yazidi Female Survivors Law, [url](#)

<sup>259</sup> Human Rights Watch, Iraq: Compensation for ISIS Victims Too Little, Too Late, 9 May 2023, [url](#)

<sup>260</sup> USCIRF, Country Update Iraq, September 2023, [url](#), p. 5

<sup>261</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, [url](#)

<sup>262</sup> Coalition for just reparations, Coalition for Just Reparations Condemns Hate Speech and Accusations Against Yazidi, 11 March 2023, [url](#); Kurdistan24, Iraqi Sunni Endowment confirms no mosques were attacked in Sinjar, 30 April 2024, [url](#); MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, [url](#)

<sup>263</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#)

<sup>264</sup> Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), p. 8

<sup>265</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#)

<sup>266</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#)

<sup>267</sup> CFRI, Baha'is in Iraq: From the Realm of Shadows to the Demand for Recognition, 2 June 2023, [url](#)

<sup>268</sup> Boston University School of Law, The Campaign To End Statelessness In Iraq, March 2022, [url](#), pp. 60-61

<sup>269</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>270</sup> CREID, Violence and Discrimination Against Women of Religious Minority Backgrounds in Iraq, 6 December 2022, [url](#), p. 188





are also subject to misconception and stereotypes, being accused of witchcraft and sorcery by Sunni and Shia extremist groups.<sup>271</sup>

Turkmen reportedly experienced discrimination by the authorities both in Iraq and in the KRI<sup>272</sup> and experienced hate speech and mockery in media for practicing sacred rituals.<sup>273</sup> In Tel Afar, Turkmen were reportedly harassed at PMF checkpoints.<sup>274</sup>

Shabaks also face discrimination from authorities, both in Iraq and in the KRI.<sup>275</sup> Shia Shabaks were targeted by hate speech and mockery in media for practicing sacred rituals.<sup>276</sup>

Iraqis of African descent are also reported to face discrimination, political and economic exclusion.<sup>277</sup>

### 1.3. Women

Women in Iraq had historically enjoyed more rights compared to most women in other Middle Eastern countries. The position of Iraqi women rapidly deteriorated following the 1991 Gulf War, when a set of laws restricting women's rights was introduced under Saddam Hussein's regime, mostly with the aim to mobilise loyalty and appease conservative religious and tribal groups. Additionally, the US sanctions imposed after the 1991 Gulf War disproportionately affected women and girls in accessing rights, including to education and to employment.<sup>278</sup> Iraqi women have been subjected to various forms of violence,<sup>279</sup> which has exacerbated with the deteriorated security situation following the US-led 2003 occupation of Iraq<sup>280</sup> and the resurgent influence of tribal and religious groups.<sup>281</sup> Tribal customary laws and practices within Iraqi society are seen as root causes for various forms of violence and violations of women's

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<sup>271</sup> Journal of Balyon Center for Humanities Studies, Vol. 13, Issue 1, The Mandaeans in Iraq Today: Perceptions, Stereotypes, Prejudices, and Exclusion, 2023, [url](#), p. 66; Australia, DFAT, Country Information Report: Iraq, 16 January 2023, [url](#), p. 21

<sup>272</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 19

<sup>273</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, [url](#); USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#)

<sup>274</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 15

<sup>275</sup> Kirkuk Now, Shabak count on provincial council elections for public utilities, 14 December 2023, [url](#); USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 19

<sup>276</sup> MEI, Addressing challenges to tolerance and religious diversity in Iraq, 5 July 2023, [url](#)

<sup>277</sup> Boston University School of Law, The Campaign To End Statelessness In Iraq, March 2022, [url](#), p. 61

<sup>278</sup> HRW, Background on Women's Status in Iraq Prior to the Fall of the Saddam Hussein Government, November 2003, [url](#); Al-Obaidi, B. S., The impact of legislation on empowering women. A comparative study between the effective Iraqi Penal Code No. 111 of 1969 and the new draft Iraqi Penal Code, Journal of Positive School Psychology, Vol. 6 No. 2, 2022, 6134-6148, [url](#), p. 6135

<sup>279</sup> Abed A., Violence Against Women in Iraq: Between Practice and Legislation, LSE Blog, 8 July 2020, [url](#); USDOS, 2020 Country Reports on Human Rights Practices: Iraq, 30 March 2021, [url](#), pp. 47-53; UNAMI, Opposing Violence Against Women - Remarks by SRSJ Jeanine Hennis-Plasschaert Baghdad - 11 September 2021, [url](#)

<sup>280</sup> HRW, No one is safe. Abuses of women in Iraq's Criminal Justice System, February 2014, [url](#), pp. 16-18; Cortright, D., et al. ., Women and the Iraq war, 20 years later, Fourth Freedom Forum, 2023, [url](#), pp. 6-7

<sup>281</sup> Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 29





rights,<sup>282</sup> including in the KRI.<sup>283</sup> Women are in practice used as commodities and collateral during the resolution of tribal conflicts,<sup>284</sup> for example through forced and child marriage, exchange or trading of women as compensation (*fasliya*), and as part of settlement of a dispute among tribes.<sup>285</sup> The so called ‘honour killing’ is among the worst violations of women’s rights as a result of the tribal system.<sup>286</sup> (For more information on the impact of tribal customary laws and practices on women and on other profiles in Iraq see [EUAA COI Report Iraq: Arab tribes and customary law, April 2023](#)).

During the anti-government demonstrations that unfolded across the country<sup>287</sup> in 2019<sup>288</sup> and 2020,<sup>289</sup> women played a central role, taking to the streets to demand for equal rights as well as for broader social, political, and economic change.<sup>290</sup>

Although individual circumstances vary, Iraqi women across all levels of society have continued to face widespread discrimination in everyday life<sup>291</sup> as well as various forms of violence as a result of discriminatory laws and traditional cultural norms.<sup>292</sup> Women are discriminated against by laws regulating, *inter alia*, freedom of movement, personal status, family (including in areas such as marriage, divorce, child custody), religion, labour (e.g. owning and managing properties or businesses), inheritance and criminal procedure. Since religious groups have their own personal status courts responsible for handling issues related to marriage, divorce, and inheritance,<sup>293</sup> women’s rights may differ among religious groups.<sup>294</sup> (See [1.2 Ethnic and religious minorities](#)). From a legal perspective, the situation of women in

<sup>282</sup> HRW, Interview with EUAA, 13 March 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#); France24/AFP, In Iraq, tribal traditions rob women, girls of rights, 18 April 2019, [url](#); Alshamary, M., Interview with Al Jazeera, The Stream, Why hasn’t Iraq adopted any laws against domestic violence?, 15 February 2023, [url](#), minutes 1:19 - 1:37; 8:38 – 9:50

<sup>283</sup> Mustafah, R., Addressing Violence Against Women in Iraqi Kurdistan, 28 March 2022, [url](#); AW, Worrying increase of “Honour” crimes in Iraqi Kurdistan, 21 March 2022, [url](#); Hardi, C., The backlash against women’s rights in Iraq’s Kurdistan region, Chatham House, 14 April 2023, [url](#)

<sup>284</sup> HRW, Interview with EUAA, 13 March 2023; OWFI, Interview with EUAA, 16 March 2023; Ceasefire for Civilian Rights, Correspondence with EUAA, 16 March 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#)

<sup>285</sup> UNHCR, Tribal Conflict Resolution in Iraq, January 15, 2018, [url](#), p. 2; HRW, Interview with EUAA, 13 March 2023; OWFI, Interview with EUAA, 16 March 2023; Ceasefire for Civilian Rights, Correspondence with EUAA, 16 March 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#); Tawfiq Marwan, M., Forced Marriages In Tribal Iraq: A Case Study From Kirkuk, May 2019, [url](#), p. 6-7, 18-19

<sup>286</sup> OWFI, Interview with EUAA, 13 March 2023; HRW, Interview with EUAA, 16 March 2023; Ceasefire for Civilian Rights, Correspondence with EUAA, 16 March 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#)

<sup>287</sup> Al-Mayali I., Iraqi Women Will Not Be Silenced, 9 February 2021, in IWPR, available at: [url](#)

<sup>288</sup> Independent, Women in Iraq defiantly take to the streets despite fears they ‘could die at any moment’, 23 November 2019, [url](#)

<sup>289</sup> France 24, Hundreds of Iraqi women defy cleric to protest authorities, 13 February 2020, [url](#)

<sup>290</sup> Alkhudary T., Iraqi Women are Engaged in a Struggle for their Rights, LSE’s Middle East Centre Blog, 15 June 2020, [url](#); Cortright, et al., Women and the Iraq war, 20 years later. Fourth Freedom Forum. 2023, [url](#), p. 14

<sup>291</sup> Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 29; Cortright, D., et al., Women and the Iraq war, 20 years later, Fourth Freedom Forum, 2023, [url](#), p. 10

<sup>292</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 57; Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 29; HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#)

<sup>293</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 57

<sup>294</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 57; CREID, Violence and Discrimination Against Women of Religious Minority Backgrounds in Iraq, 6 December 2022, [url](#), pp. 9, 159-160





the KRI is described as relatively better compared to the rest of the country<sup>295</sup> (see [1.3.1 Violence against women](#)). The KRG also established institutions, such as the Directorate of Combating Violence Against Women and the High Council of Women's Affairs, to implement policies on gender equality. The implementation of these reforms has been described as problematic, with activists reporting no genuine will among members of the Kurdish authorities to improve women's rights. Individuals who advocate for gender equality in the KRI are reported to 'face threats from powerful conservative and patriarchal groups that have a vested interest in maintaining the status quo.'<sup>296</sup>

Women need the consent of a male relative or legal representative to obtain a passport and a Civil Status Identification Document.<sup>297</sup> In practice, regardless of whether they are married, divorced and have court-ordered custody, women (including in the KRI) cannot travel with children below the age of 18 without the father's permission. Women who travel alone with their children may be required by border control officers to show proof of the father's permission or of a court document.<sup>298</sup>

Although women have legally the same rights as men in owning land and other properties, in practice property rights of women are not respected.<sup>299</sup> Both the Iraqi<sup>300</sup> and Kurdistan Personal Status laws<sup>301</sup> allow women to initiate divorce proceedings. Divorced women are not entitled to alimony and in some cases, they are required to return their dowry. Although fathers are automatically granted guardianship of their children, divorced mothers may be awarded custody of their children until age 10, extendable by a court up to age 15; afterwards, the children can choose with which parent they wish to live.<sup>302</sup>

There is no law prohibiting the participation of women in the political process. Women hold a record 97 seats in parliament,<sup>303</sup> almost 30 % of parliamentary seats for the first time since the 2003 US invasion of Iraq. Nonetheless, women legislators are reported to be largely silent<sup>304</sup> and excluded from decision making and political power.<sup>305</sup> For instance, there are anecdotal reports about women members of parliament being required to seek approval from their parties' male leadership before expressing opinions publicly. In some rural areas, women are

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<sup>295</sup> Kaya, Z. N., Gender equality in Iraq and Iraqi Kurdistan, LSE's Middle East Centre Blog, 5 January 2018, [url](#); Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 29; UN Iraq, Iraq Common Country Analysis 2022, 27 July 2022, [url](#), p. 7

<sup>296</sup> Hardi, C., The backlash against women's rights in Iraq's Kurdistan region, Chatham House, 14 April 2023, [url](#), p. 48

<sup>297</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 58; Freedom House, Freedom in the world 2023 Iraq (covering facts of 2022), 2023, [url](#)

<sup>298</sup> HRW, Trapped, Iraq, 18 July 2023, [url](#), p. 46

<sup>299</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 57

<sup>300</sup> Iraq, Personal Status Law No. 188/1959, Art. 40-41, [url](#)

<sup>301</sup> Iraq/KRG, Personal Status Law, Act No. 15/2008, [url](#)

<sup>302</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 57

<sup>303</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), pp. 43-44

<sup>304</sup> Al Jazeera, As Iraq backslides on gender equality, where are its women MPs?, 9 September 2023, [url](#)

<sup>305</sup> New Paradigm Project, Women and the Iraq War, 20 Years Later, March 2023, [url](#), p. 9; UNDP, Adapting the Indashyikirwa Intimate Partner Violence Prevention Programme: Lessons Learned in Iraq and Lebanon, 27 February 2023, [url](#), p. 29





required to be accompanied by a male guardian when casting a ballot at a voting station.<sup>306</sup> Women politicians are also reported to face threats from conservative elements in society.<sup>307</sup>

Illiteracy rates among Iraqi women continued to be higher than among men.<sup>308</sup> Significant barriers, such as traditional gender roles and norms, family levels of education, poverty, perceived protection concerns, limit girls' access to education, especially in territories formerly under ISIL' control. In some rural areas, girls are denied access to school by their families.<sup>309</sup> Women are disproportionately affected by unemployment, with rates almost twice as high than that for men (28.2 % compared to 14.7 %).<sup>310</sup>

### 1.3.1. Violence against women

#### Domestic and honour-based violence

Article 41 of the Penal Code (No.111 of 1969)<sup>311</sup> grants husbands the right to discipline their wives and children.<sup>312</sup> Article 409 of the Penal Code<sup>313</sup> provides mitigating circumstances for the sentence for so called 'honour killings'.<sup>314</sup> Such provisions are said to enable impunity for male violence against women, including murder for 'honourable motives'.<sup>315</sup> The Iraqi federal government has not yet adopted a law combatting domestic violence,<sup>316</sup> and there is no law specifically criminalising spousal rape.<sup>317</sup>

<sup>306</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 44

<sup>307</sup> Freedom House, Freedom in the world 2023 Iraq (covering facts of 2022), 2023, [url](#)

<sup>308</sup> UNFPA, Iraqi Women Integrated Social and Health Survey: Summary of Key Findings, June 2022, [url](#), p. 5

<sup>309</sup> UNAMI/ OHCHR, The Right to Education in Iraq, Part Two: Obstacles to Girls' Education after ISIL, 24 January 2021, [url](#) pp. 3, 7

<sup>310</sup> ILO/CSO/KRSO, Iraqi Labour Force Survey 2021, 5 July 2022, [url](#), pp. 17, 45, 68; CFRI, Women's Economic Empowerment in Iraq: A Double-Edged Sword?, 8 November 2023, [url](#); IOM, Employment in the South of Iraq: Challenging Prospects for Women and Youth, 2023, [url](#), p. 5; World Bank, Women's Labor Force Participation in the Kurdistan Region of Iraq, April 2022, [url](#), p. 2

<sup>311</sup> Article 41 (1) reads: 'There is no crime if the act is committed while exercising a legal right. The following are considered to be in exercise of a legal right: (1) The punishment of a wife by her husband, the disciplining by parents and teachers of children under their authority within certain limits prescribed by law or by custom.' Iraq, Penal Code, No. 111 of 1969, July 1969, [url](#), Art. 41 (1)

<sup>312</sup> UNPD, Iraq - Gender Justice & The Law 2019, [url](#), p. 2; Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>313</sup> Article 409 reads: 'Any person who surprises his wife in the act of adultery or finds his girlfriend in bed with her lover and kills them immediately or one of them or assaults one of them so that he or she dies or is left permanently disabled is punishable by a period of detention not exceeding 3 years. It is not permissible to exercise the right of legal defense against any person who uses this excuse nor do the rules of aggravating circumstance apply against him.' Iraq, Penal Code, No. 111 of 1969, July 1969, [url](#), Art. 409

<sup>314</sup> UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 6

<sup>315</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#)

<sup>316</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#); Freedom House, Freedom in the world 2023 Iraq (covering facts of 2022), 2023, [url](#); AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#)

<sup>317</sup> UNPD, Iraq - Gender Justice & The Law 2019, [url](#), p. 2; USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#)



Despite continued efforts by women's rights groups advocating for a law to protect women from domestic violence,<sup>318</sup> a draft Anti-Domestic Violence Law has been pending since 2012,<sup>319</sup> being strongly opposed in parliament on the grounds that it would go against Islam, 'national values' and would be 'incompatible with Iraqi culture'.<sup>320</sup> In September 2023, the Chairperson of the Parliamentary Committee for Women, Family, and Child Affairs formally requested the Speaker to withdraw the draft law from the agenda for further review, based on the assertion that the draft law 'does not conform to religious and moral values, societal norms, and Iraqi constitutional principles'.

In 2011, KRG adopted a law on combating domestic violence,<sup>321</sup> criminalising physical, sexual, psychological violence, spousal rape and female genital mutilation<sup>322</sup> and in 2015 repealed Article 409 of the Penal Code.<sup>323</sup> Despite these reforms, tangible progress towards protecting women against violence over the past two decades in the KRI has been limited,<sup>324</sup> and violence is in fact reported to be high<sup>325</sup> and on the rise.<sup>326</sup>

Violence against women in Iraq has continued to remain a serious<sup>327</sup> and pervasive problem.<sup>328</sup> Although reliable statistics are not available,<sup>329</sup> violence committed by family members to protect the 'honour' of the family or tribe<sup>330</sup> is reported to be widespread and to occur across the whole country on a daily basis, regardless of ethno-religious background.<sup>331</sup> Violations of honour that contravene tribal social norms and that can spark honour-based violence against a woman can be due to a range of reasons, including seeking a partner of her own choosing,<sup>332</sup> seeking divorce against the will of the family or tribe, showing disobedient behaviour to male relatives, elderly female relatives, or husband, being a survivor of sexual assault or rape.<sup>333</sup>

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<sup>318</sup> CIVICUS, IRAQ: 'We've submitted many bills, but parliament refuses to adopt a law against GBV', 7 March 2022, [url](#); HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#)

<sup>319</sup> UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 7

<sup>320</sup> Al Jazeera, As Iraq backslides on gender equality, where are its women MPs?, 9 September 2023, [url](#)

<sup>321</sup> UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 7

<sup>322</sup> Hardi, C., The backlash against women's rights in Iraq's Kurdistan region, Chatham House, 14 April 2023, [url](#)

<sup>323</sup> UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 7

<sup>324</sup> Hardi, C., The backlash against women's rights in Iraq's Kurdistan region, Chatham House, 14 April 2023, [url](#)

<sup>325</sup> Rudaw, No 2021 Court Cases of Femicides Settled in Sulaimani: Local NGO, 21 June 2022, [url](#); SEED

Foundation, Statement Condemning Violence Against Women in Kurdistan, 22 February 2022, [url](#)

<sup>326</sup> Ceasefire Centre for Civilian Rights, Terms of Reference: Report on Family-Based Violence Legislation in the Kurdistan Region of Iraq, 2 August 2023, [url](#); Rudaw, Two Arrested in Erbil after Woman Falls from Apartment, 18 November 2023, [url](#)

<sup>327</sup> BTI, 2022 Country Report Iraq, 23 February 2023, [url](#), p. 14

<sup>328</sup> Abdo G., Violence Against Women Permeates All Aspects of Life in Iraq, Wilson Center, 29 November 2022, [url](#); USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 50

<sup>329</sup> UN Iraq, Iraq Common Country Analysis 2022, 27 July 2022, [url](#), p. 9; UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 9

<sup>330</sup> CFRI, Women's Economic Empowerment in Iraq: A Double-Edged Sword?, 8 November 2023, [url](#)

<sup>331</sup> Assafir Al-Arabi, In Iraq, Violence Against Women Comes in many Shapes and Forms, 4 August 2022, [url](#); LSE, Violence Against Women in Iraq: Between Practice and Legislation, 8 July 2020, [url](#)

<sup>332</sup> Hamoudi, H. A et al., The Resolution of Disputes in State and Tribal Law in the South of Iraq, 2015, [url](#); p. 240

<sup>333</sup> Norway, Landinfo, Temanotat: Irak - Ære og æresrelatert vold [Thematic Note: Iraq - Honour and Honour Related Violence in Iraq and Kurdistan], 10 March 2022, [url](#), pp. 19-20; 13-14



During the reference period of this report, several cases of honour-based killing of women<sup>334</sup> have occurred, which have sparked public debate<sup>335</sup> as well as protests across the country calling for laws to protect women from violence.<sup>336</sup> The KRI in particular saw an increase in reports of women killed by male relatives, for reasons such as converting to a different religion, or identifying as transgender women.<sup>337</sup> For more detailed information on honour-based violence against women in Iraq see [EUAA COI Report Iraq: Arab tribes and customary law, April 2023](#).

Violence against women and girls is mostly perpetrated with impunity across the country.<sup>338</sup> Cases of domestic violence are underreported owing to various factors, including social stigma, fear of reprisal, survivor-blaming and prioritisation of family reconciliation by authorities, as well as negative attitudes displayed by officials towards survivors.<sup>339</sup> Effective state protection remained severely limited,<sup>340</sup> including with regards to access to shelter and justice,<sup>341</sup> with reports of some women survivors of trafficking being tried and convicted for prostitution.<sup>342</sup> Perpetrators of gender-based violence are rarely prosecuted.<sup>343</sup> Lawyers assisting women victims of domestic violence are reported to be at risk of harassment.<sup>344</sup>

There are 16 family protection units established by the government at police stations across the country.<sup>345</sup> These units,<sup>346</sup> however, lack the capacity to support survivors and prioritise family reconciliation over protection. A limited number of protection centres (shelters) were established by the government in Karbala, Anbar, Qadisiya and Kirkuk governorates<sup>347</sup> but their service provision is reported to be inadequate.<sup>348</sup> Several secret shelters are run by a

<sup>334</sup> AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#); BBC, The Iraqi YouTube star killed by her father, 6 September 2023, [url](#) Channel 4 News, Iraqi Youtuber killed by father in 'honour killing', via YouTube, 4 February 2023, [url](#); AI, Iraq: Action must be taken on gender-based violence after murder of Tiba Ali by her father, 3 February 2023, [url](#)

<sup>335</sup> Al Jazeera, As Iraq backslides on gender equality, where are its women MPs?, 9 September 2023, [url](#)

<sup>336</sup> New Arab, Iraqi women still live the legacy of gender-based violence, 8 March 2023, [url](#)

<sup>337</sup> AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#)

<sup>338</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#); AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#); UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 13; Alshamary, M., Interview with Al Jazeera, The Stream, Why hasn't Iraq adopted any laws against domestic violence?, 15 February 2023, [url](#), minutes 1:19 - 1:37; 8:38 – 9:50

<sup>339</sup> UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 2

<sup>340</sup> AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#)

<sup>341</sup> UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), pp. 11-14

<sup>342</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#)

<sup>343</sup> HRW, Interview with EUAA, 16 March 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#)

<sup>344</sup> MENA Rights Group, Iraqi Human Rights Lawyer Mohammed Jumaa Facing Disciplinary Proceedings, 20 October 2022, [url](#); USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#)

<sup>345</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 51

<sup>346</sup> Such units are overseen by the Directorate of Family and Child Protection against Domestic Violence (DFCPDV), which was established in 2009 under the Ministry of Interior. The DFCPDV consists of police units specialised on investigating cases of domestic violence. See: UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 2

<sup>347</sup> UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 11

<sup>348</sup> UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 11; USDOS, 2023 Trafficking in Persons Report: Iraq, 15 June 2023, [url](#); AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#)



local NGO in Baghdad and other cities.<sup>349</sup> These underground houses often face criticism, and are also subjected to raids and attacks by security forces, armed actors, family and tribal members.<sup>350</sup> NGO representatives reported to be ostracised,<sup>351</sup> monitored and restricted in their work.<sup>352</sup> For instance, NGOs in Baghdad have been harassed, including by being summoned for questioning following complaints from members of parliament.<sup>353</sup> Women hosted in these shelters have reportedly received death ‘sentences’ from members of their tribes.<sup>354</sup>

NGOs reported that women feared approaching the family protection units and reporting the crimes they faced due to fear of retaliation,<sup>355</sup> suspecting police officers of informing their families. In southern Iraq, some tribal leaders reportedly banned their members from approaching police family protection units, claiming that domestic abuse was a family matter. In the KRI, there are four shelters overseen by the government and additional two shelters for women fleeing domestic violence run by local NGOs.<sup>356</sup> Admission to government-run shelters, both in Federal Iraq and the KRI, requires a police report and a judicial order, which means that formal legal proceedings must be initiated against the perpetrator.<sup>357</sup>

## Sexual violence

Iraqi law criminalises rape and sexual assault of women, men, and children.<sup>358</sup> However, except for the KRI,<sup>359</sup> it does not specifically mention spousal rape. There is no clear definition of ‘consent’, leaving the interpretation up to the judges.<sup>360</sup> The penal code also permits perpetrators of rape or sexual assault to avoid prosecution or have their sentences suppressed if they marry their victim.<sup>361</sup> Sometimes families of the survivors agree with such arrangement to avoid social stigma associated with rape. Reliable data on the occurrence of rape and information on the effective enforcement of the law are not available.<sup>362</sup> Women and girls are reported to be at risk of rape and other forms of sexual violence perpetrated by state and non-state actors, also in circumstances of internal displacement and return<sup>363</sup> and in detention.<sup>364</sup>

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<sup>349</sup> OWFI, Sheltering, accessed 28 January 2024, [url](#); GI-TOC, 2023 Global Organized Crime Index: Iraq, September 2023, [url](#), p. 6

<sup>350</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#); UNGA, Situation of Human Rights Defenders: Note by the Secretary-General, A/78/131, 7 July 2023, [url](#), para. 82

<sup>351</sup> Cortright, D., et al., Women and the Iraq war, 20 years later, Fourth Freedom Forum, 2023, [url](#)

<sup>352</sup> Mohammed, Y., Two decades of feminist struggle in post-invasion Iraq, Chatham House, 14 June 2023, [url](#), p. 72

<sup>353</sup> AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#)

<sup>354</sup> Mohammed, Y., Two decades of feminist struggle in post-invasion Iraq, Chatham House, 14 June 2023, [url](#), p. 72

<sup>355</sup> UNAMI/OHCHR, Accountability for Domestic violence in Iraq: Promoting justice and non-discrimination, 7 March 2024, [url](#), p. 10

<sup>356</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 52

<sup>357</sup> Ceasefire Centre for Civilian Rights, Researcher for Report on Family-Based Violence Legislation in the Kurdistan Region of Iraq, 2 August 2023, [url](#), pp. 1-2

<sup>358</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 50

<sup>359</sup> Hardi, C., The backlash against women's rights in Iraq's Kurdistan region, Chatham House, 14 April 2023, [url](#)

<sup>360</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 50

<sup>361</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#); USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 50

<sup>362</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 50

<sup>363</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 39; UNICEF, Humanitarian Action for Children 2023: Iraq, 5 December 2022, [url](#), p. 2; UNDP, Challenges for the Return and Reintegration of Women and Children, October 2022, [url](#), p. 23

<sup>364</sup> UNPD, Affiliated with ISIS, October 2022, [url](#), p. 56





## Conflict-related sexual violence

The 2021 law for survivors of the ISIL violence<sup>365</sup> does not include specific provisions related to the status of women survivors of sexual violence, nor of children born of rape.<sup>366</sup> During 2022, 914 families displaced by the 2014 conflict returned to their places of origin in Iraq, as part of the process of return of Iraqi nationals from Al Hol camp in Syria. Of these, 70 % were female-headed households. These women are reported to face stigma and challenges to reintegrate in the community.<sup>367</sup> Members of the Yazidi communities themselves<sup>368</sup> often forced Yazidi survivors who had children born of rape to leave their children behind in Syria; in some cases, they were forced to place them in institutional care.<sup>369</sup> (See also [1.4 Children](#)). Those who refused to leave their children behind are reported to have faced expulsion from the community and also honour killings.<sup>370</sup> Yazidi women who had children born of rape are reported to be required by the government to register those children as Muslims and convert to Islam themselves to obtain identification cards, passports, and other governmental services.<sup>371</sup> See also [1.1.3 Individuals with \(perceived\) affiliation to ISIL](#).

## Forced marriage

Despite being criminalised,<sup>372</sup> including in the KRI, the practices of traditional early and forced marriages of women and girls<sup>373</sup> have continued to occur.<sup>374</sup> The law sets the minimum age for marriage at 18, but it also allows a judge to permit girls as young as 15 to marry ‘if fitness and physical capacity are established and the guardian does not present a reasonable objection’<sup>375</sup> or if the marriage is considered ‘an urgent necessity’ by the judge.<sup>376</sup> The minimum age for marriage in the KRI can be lowered to 16 with approval by a legal guardian and authorisation by a judge.<sup>377</sup> Unregistered marriages (conducted by religious leaders but not registered with the Personal Status Court),<sup>378</sup> also called temporary<sup>379</sup> or pleasure marriages (*Nikah Mut’ah*), have continued to be practiced with support of clerics. Such temporary arrangements are reported to be widely misused for sexual exploitation,

<sup>365</sup> UN news, Iraq: ‘Moral obligation’ to ensure justice for Yazidi and other survivors of ISIL crimes, 30 September 2021, [url](#)

<sup>366</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 41

<sup>367</sup> UNSC, Conflict-related sexual violence, S/2023/413, 22 June 2023, [url](#), para.37; Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 18

<sup>368</sup> New York Times (The), ISIS Forced Them Into Sexual Slavery. Finally, They’ve Reunited With Their Children, 12 March 2021, [url](#); Rudaw, Yezidi spiritual leaders clarify children of ISIS rape won’t be accepted, 27 April 2019, [url](#)

<sup>369</sup> UNSC, Conflict-related sexual violence, S/2023/413, 22 June 2023, [url](#), para.15, 37

<sup>370</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#); Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 18

<sup>371</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#)

<sup>372</sup> HRW, ‘Everyone Wants Me Dead’, 23 March 2022, [url](#)

<sup>373</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 61; UN Iraq, Iraq Common Country Analysis 2021, 26 April 2022, [url](#), p. 18

<sup>374</sup> HRW, ‘My Marriage was Mistake after Mistake’, 3 March 2024, [url](#), p. 12; UN Iraq, Iraq Common Country Analysis 2021, 26 April 2022, [url](#), p. 18

<sup>375</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 61

<sup>376</sup> ILHR, Legislative Review: Draft Law on Child Protection, May 2023, [url](#), p. 9

<sup>377</sup> IRAQ-KRI, Amended Personal Status Law, as applicable in the KR-I (Law No. 15 of 2008), available at: [url](#), Art. 5; UNFPA, Child marriage in Kurdistan Region -Iraq, 12 August 2016, [url](#), p. 52

<sup>378</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#)

<sup>379</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 61



prostitution,<sup>380</sup> trafficking<sup>381</sup> and as a way to circumvent legal restrictions on child, forced marriage and polygamy, or avoid paying spousal maintenance in case of divorce. The impact of unregistered/temporary marriages on women's rights is described as significant. Lacking civil status, women in unregistered marriages face severe obstacles in accessing social protection and government services.<sup>382</sup>

Although less common than unregistered marriages,<sup>383</sup> the tribal practice of *fasliya*, (whereby women and girls are traded as part of the tribal settlement of a dispute<sup>384</sup> 'as compensation for injury or death')<sup>385</sup> continue to exist,<sup>386</sup> especially in areas where tribal influence is stronger than government institutions.<sup>387</sup> In 2022, Iraqi journalist Dima Yassine mentions *fasliya* customs still occurring daily in Iraq.<sup>388</sup> Women who are subjected to *fasliya* have no right to divorce, are exposed to abuse,<sup>389</sup> and mistreatment.<sup>390</sup> The practice of *nahwa*, whereby a male cousin is entitled to marry his female cousin or decide on whom she can marry<sup>391</sup> is reported to remain a problem, particularly in southern provinces.<sup>392</sup> Such practices are said to be a 'concealed phenomenon' that is not discussed publicly.<sup>393</sup> For more detailed information on *fasliya*, *nahwa* and other practices impacting women within the context of tribal customary laws and practice see [EUAA COI Report Iraq: Arab tribes and customary law, April 2023](#).<sup>394</sup>

### Female Genital Mutilation/Cutting (FGM/C)

FGM/C has been criminalised in the KRI<sup>395</sup> under the Domestic Violence Act in 2011 but not in Federal Iraq.<sup>396</sup> Outside the KRI, FGM/C is reported as not common. While it has continued to

<sup>380</sup> NIRIJ-Daraj, "Pleasure Marriage:" Thinly Veiled Legal Prostitution, 24 March 2023, [url](#)

<sup>381</sup> UN Human Rights Committee, Concluding Observations on the 6th Periodic Report, 16 August 2022, [url](#), para.28

<sup>382</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#); HRW, "My Marriage was Mistake after Mistake", 3 March 2024, [url](#), pp. 1, 11, 28

<sup>383</sup> HRW, "My Marriage was Mistake after Mistake", 3 March 2024, [url](#)

<sup>384</sup> HRW, Interview with EUAA, 13 March 2023; OWFI, Interview with EUAA, 16 March 2023; Ceasefire for Civilian Rights, Correspondence with EUAA, 16 March 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#); Tawfiq Marwan, M., Forced Marriages In Tribal Iraq: A Case Study From Kirkuk, May 2019, [url](#), p. 6-7, 18; USDOS, 2016 Country Reports on Human Rights Practices - Iraq, March 3, 2017, [url](#), p. 52

<sup>385</sup> UNHCR, Tribal Conflict Resolution in Iraq, 15 January 2018, [url](#), p. 2

<sup>386</sup> Genat, M., interview with EUAA, 4 October 2022; OWFI, Interview with EUAA, 13 March 2023; Ceasefire Centre for Civilian Rights, Correspondence with EUAA, 13 March 2023; HRW, Interview with EUAA, 16 March 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#); Yassine, D., Iraqi women: Resisting oppression in an afflicted country, 16 January 2022, [url](#)

<sup>387</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 54

<sup>388</sup> Yassine, D., Iraqi women: Resisting oppression in an afflicted country, 16 January 2022, [url](#)

<sup>389</sup> UNHCR, Tribal Conflict Resolution in Iraq, 15 January 2018, available at: [url](#), p. 2; Al-Obaidi, B., Interview with EUAA, 3 April 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#)

<sup>390</sup> USIP, Customary Justice and the Rule of Law in War-Torn Societies, 1 July 2011, [url](#), p. 264; Al-Obaidi, B., Interview with EUAA, 3 April 2023

<sup>391</sup> Genat, M., Interview with EUAA, 4 October 2022; OWFI, Interview with EUAA, 13 March 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#)

<sup>392</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 54

<sup>393</sup> Al-Obaidi, B., Interview with EUAA, 3 April 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#)

<sup>394</sup> EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#)

<sup>395</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 53

<sup>396</sup> IILHR, Legislative Review: Draft Law on Child Protection, May 2023, [url](#), p. 9; UN Human Rights Committee, Concluding Observations on the 6th Periodic Report, 16 August 2022, [url](#), para. 38



decline in the KRI,<sup>397</sup> it is still practiced in some rural communities.<sup>398</sup> Its prevalence in the KRI is reported higher in the governorates of Sulaymaniyah and Erbil (where 47 % of women aged between 15-49 are subjected to FGM/C), while in Dohuk it is reported as rare.<sup>399</sup>

### 1.3.2. Women without male support

Women without the support of a male member of their family or tribe<sup>400</sup> often face stigmatisation from their families and from society;<sup>401</sup> they are vulnerable to economic insecurity and at a higher risk of sexual exploitation and trafficking.<sup>402</sup> In spite of this, divorce rates in Iraq, including in the KRI,<sup>403</sup> have seen an increase in recent years and divorced women still face stigma and discrimination,<sup>404</sup> including risk of losing their rights to child custody, property rights and financial support;<sup>405</sup> they are also exposed to economic hardship and sexual harassment.<sup>406</sup> Divorced and widowed women are reported to be exposed to sexual exploitation also through so called temporary or pleasure marriages.<sup>407</sup>

Women who escaped domestic violence without their legal identification documents face challenges in having these documents replaced. As a result, they face obstacles in registering for their residence card (which is required to rent a house and secure a job), obtaining birth certificates for their children, as well as in moving around.<sup>408</sup> Female-headed households,<sup>409</sup> widows and single women<sup>410</sup> also face additional obstacles, including legal impasses, in obtaining security clearance and/or documentation for themselves or their children.<sup>411</sup> Commonly, women without a male support continued to experience a delay of more than one year to obtain their own citizenship documentation.<sup>412</sup>

<sup>397</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 53

<sup>398</sup> Wadi, Annual Report 2022, 6 May 2023, [url](#), p. 6; Rudaw, FGM Persists in the Kurdistan Region Despite Ban, 6 February 2022, [url](#)

<sup>399</sup> Iraq/KRI, Population analysis report, February 2021, [url](#), p. 46; FGM/C Research Initiative, Iraqi Kurdistan, n.d., [url](#)

<sup>400</sup> WAS Iraq, Women Working in Iraq: Shame, Control, as Part of a Working Woman's Life, 17 August 2022, [url](#); France24, In Iraq, divorce rates soar even as stigma persists for women, 19 October 2022, [url](#); Howe K. et al., Circumscribed Lives: Separated, Divorced, and Widowed Female Youth in South Sudan and the Kurdistan Region of Iraq, Tufts University, August 2022, [url](#), p. 11-13

<sup>401</sup> Howe K. et al., Circumscribed Lives: Separated, Divorced, and Widowed Female Youth in South Sudan and the Kurdistan Region of Iraq, Tufts University, August 2022, [url](#), p. 23; CREID, Violence and Discrimination Against Women of Religious Minority Backgrounds in Iraq, 6 December 2022, [url](#), p. 140

<sup>402</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), pp. 72; CREID, Violence and Discrimination Against Women of Religious Minority Backgrounds in Iraq, 6 December 2022, [url](#), pp. 140, 303

<sup>403</sup> Asharq Al-Awsat, Official Data: Divorce Rates Soar in Kurdistan, 1 March 2019, [url](#); Kurdistan 24, Iraq records over 6,000 divorce cases in one month, 3 April 2023, [url](#)

<sup>404</sup> AA, Iraq's divorce rate steadily mounting: Judicial source, 31 January 2018, [url](#); France24, In Iraq, divorce rates soar even as stigma persists for women, 19 October 2022, [url](#); USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#)

<sup>405</sup> Al Menasa, No Waiver, no Divorce: Half of Iraqi Women Blackmailed into the Worst Deal, when Leaving Marriage, 31 March 2022, [url](#)

<sup>406</sup> Kurdistan 24, Iraq records over 6,000 divorce cases in one month, 3 April 2023, [url](#)

<sup>407</sup> NIRIJ-Daraj, "Pleasure Marriage:" Thinly Veiled Legal Prostitution, 24 March 2023, [url](#); Shafaq, Temporary marriage in Iraq: economic pressures, legal controversies, and societal dynamics, 21 May 2023, [url](#)

<sup>408</sup> HRW, Trapped – Iraq, 18 July 2023, [url](#), pp. 42-47

<sup>409</sup> IRC, Iraq Protection Needs Overview: Monitoring and Trends (April – September 2022), 11 January 2023, [url](#), p. 11; SIDA, Multidimensional Poverty Analysis Iraq 2022, April 2022, [url](#), p. 33

<sup>410</sup> USDOS, 2020 Country Reports on Human Rights Practices: Iraq, 30 March 2021, [url](#), p. 60

<sup>411</sup> UNDP, Challenges for the Return and Reintegration of Women and Children, October 2022, [url](#); p. 20, DRC, Women, Displacement and Durable Solutions in Iraq, 8 March 2023, [url](#)

<sup>412</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 21



A significant number of returnees, who are ISIL-affiliated or perceived as such, are female-headed households.<sup>413</sup> Women with suspected affiliation to ISIL members are reported to have been routinely denied by Iraqi security officers clearance needed to obtain identity cards, passports, and other documents.<sup>414</sup> Obtaining identity cards and access to services continued to be a problem for women with children born of rape.<sup>415</sup> These women are also subject to higher risk of sexual exploitation, retaliation, and suicide.<sup>416</sup> (See also [1.1.3 Individuals with \(perceived\) affiliation to ISIL](#) and [1.3.2 Conflict-related sexual violence](#)).

Women living independently face obstacles<sup>417</sup> due to prevailing social, religious and cultural norms. For instance, single women in Iraq experience difficulties trying to rent a house, since living alone for a woman is not socially accepted. Speaking to Human Rights Watch, some organisations reported that hotels do not allow adult Iraqi women to check into a room alone unless they are either accompanied by a male guardian (i.e. brother, father, or husband) or can provide an official letter from a governmental institution or NGO stating the reason for their stay (e.g. business, attending a conference, etc.).<sup>418</sup> Although the situation of single women is described as generally better in the KRI compared to the rest of Iraq, conservative attitudes and traditional norms create several challenges for single women in the KRI as well, including difficulties in living on their own, obtaining civil documents, accessing jobs. Single women are also exposed to verbal and sexual harassment.<sup>419</sup>

## 1.4. Children

Iraqi federal law<sup>420</sup> foresees that men may discipline their wives and children ‘within certain limits prescribed by law or by custom’. Although reliable statistics are not available, violence against children is reported to be a significant problem.<sup>421</sup> Authorities, both in Federal Iraq and the KRI, often treated children and adolescents who were sexually exploited and trafficked as criminals instead of victims, by prosecuting and sentencing some of these children for prostitution.<sup>422</sup> In June 2023, the Iraqi parliament introduced a draft child protection law, which, if passed, would address issues such as child labour, exploitation, and abuse. While being described as ‘a vital step’ towards protecting children’s rights,<sup>423</sup> some provisions of the draft law are said to be vague, some in contravention of the articles of the Convention on the Rights of the Child, with omissions also noted regarding envisioned protections, particularly

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<sup>413</sup> Cook J., Distinguishing Children from ISIS-Affiliated Families in Iraq and their Unique Barriers for Rehabilitation and Reintegration, *Perspective on Terrorism*, Vol. XVII, Issue 3, September 2023, [url](#), p. 58; UNSC, Conflict-related sexual violence, S/2023/413, 22 June 2023, [url](#), para.37

<sup>414</sup> HRW, Trapped – Iraq, 18 July 2023, [url](#), pp. 42-47

<sup>415</sup> UNSC, Conflict-related sexual violence, S/2021/312, 30 March 2021, [url](#), p. 6

<sup>416</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 41

<sup>417</sup> WAS Iraq, Women Working in Iraq: Shame, Control, as Part of a Working Woman’s Life, 17 August 2022, [url](#)

<sup>418</sup> HRW, Trapped – Iraq, 18 July 2023, [url](#), pp. 42-47

<sup>419</sup> Denmark DIS/DRC, Kurdistan Region of Iraq (KRI): Issues regarding single women, documents and illegal exit March 2023, [url](#) pp. 7-19

<sup>420</sup> Iraq, Penal Code, No. 111 of 1969, July 1969, [url](#), Art. 41 (1); see footnote 312 of this report.

<sup>421</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 50

<sup>422</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), pp. 61-62; USDOL, 2021 Findings on the Worst Forms of Child Labor: Iraq, 28 September 2022, [url](#), p. 6

<sup>423</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#)



for girls.<sup>424</sup> By the time of writing, the draft law remained pending.<sup>425</sup> Children in Iraq have continued to be affected by conflict-related violence, including being killed or injured by improvised explosive devices (IED) and explosive remnants of war (ERW).<sup>426</sup>

### 1.4.1. Child recruitment by armed groups

Efforts have been made by the government to prevent child recruitment.<sup>427</sup> Nonetheless, some instances of child recruitment by armed groups were reported. The UN verified a total of 32 cases of children (18 boys and 14 girls, as young as age 11) being recruited in 2022: 28 of whom were recruited by the People's Defence Forces of the Kurdistan Workers' Party (HPG/PKK) and 4 by ISIL. These children were used in combat and at checkpoints. The UN also reported some cases of abduction of children for recruitment and sexual exploitation. In June 2023, the UN reported to have conditionally delisted the PMF for the violation of recruitment and use of children. This decision was based on a decrease in this violation by these groups and based on pending implementation of an action plan against child recruitment signed by the Iraqi government, UNAMI and UNICEF.<sup>428</sup> Young boys who were formerly recruited and who suffer from complex trauma or other medical conditions<sup>429</sup> often do not have access to adequate rehabilitation, reintegration and mental health programmes, which exposes them to re-victimisation and re-recruitment.<sup>430</sup>

### 1.4.2. Children with perceived affiliation to ISIL

Children perceived to be affiliated with ISIL are reported to be subject to arbitrary arrests, detention, and enforced disappearance.<sup>431</sup> As at December 2022, UN verified that 936 children (927 boys, 9 girls) remained in detention on national security-related charges, including for their actual or alleged affiliation with armed groups, mostly ISIL.<sup>432</sup> Some of the children detained are as young as 9 years old,<sup>433</sup> being 9 the minimum age of criminal

<sup>424</sup> IILHR, Legislative Review: Draft Law on Child Protection, May 2023, [url](#), p. 2

<sup>425</sup> HRW, Iraq: Reforms Needed to Entrench Stability, 11 January 2024, [url](#)

<sup>426</sup> UNSC, Implementation of Resolution 2682 (2023), S/2023/700, 26 September 2023, [url](#), para. 55; UNSC, Implementation of resolution 2682 (2023), S/2024/96, 25 January 2024, [url](#), para. 58, 59

<sup>427</sup> OSRSG Children and Armed Conflict, UN Special Representative of Secretary-General for Children and Armed Conflict Concludes Official Visit to Iraq, 11 January 2024, [url](#), p. 1

<sup>428</sup> UNGA/SC, Children and Armed Conflict in Iraq: Report of the Secretary-General, A/77/895-S/2023/363, 5 June 2023, [url](#), para. 71, 74, 76, 344

<sup>429</sup> SEED Foundation, Can We Build a Brighter Future for Children Exploited by War?, 9 February 2022, [url](#); Sunday Times, Kidnapped, Drugged and Forced to Fight: The Forgotten Child Victims of ISIS, 16 July 2022, [url](#)

<sup>430</sup> GI-TOC, 2023 Global Organized Crime Index: Iraq, September 2023, [url](#), p. 6; USDOS, 2023 Trafficking in Persons Report: Iraq, 15 June 2023, [url](#)

<sup>431</sup> IOHR, Forced Disappearances in Iraq: Around 12,000 Reports of Missing Persons in the Last Six Years, 30 August 2023, [url](#), p. 6; UN CED, Information on the Visit and Findings, 31 March 2023, [url](#), paras 23, 24, 25; HRW, Submission to the UN Human Rights Committee, 25 January 2022, [url](#); USDOS, 2023 Trafficking in Persons Report: Iraq, 15 June 2023, [url](#); UN, Committee on Enforced Disappearances, Report of the Committee on Enforced Disappearances on its visit to Iraq under article 33 of the Convention, 19 April 2023, [url](#), para. 31

<sup>432</sup> UNGA/SC, Children and Armed Conflict in Iraq: Report of the Secretary-General, A/77/895-S/2023/363, 5 June 2023, [url](#), para. 72

<sup>433</sup> UNDP, Challenges for the Return and Reintegration of Women and Children, October 2022, [url](#), p. 57; UNGA/SC, Children and Armed Conflict in Iraq: Report of the Secretary-General, A/77/895-S/2023/363, 5 June 2023, [url](#), para. 72; IILHR, Legislative Review: Draft Law on Child Protection, May 2023, [url](#), p. 22



responsibility in Federal Iraq (while in the KRI has been amended to 11).<sup>434</sup> Children are reported to be imprisoned in overcrowded juvenile facilities,<sup>435</sup> or, in some cases, together with adults.<sup>436</sup> Children have been arrested based on ‘dubious’ evidence and forced confessions,<sup>437</sup> with limited access to legal remedies, prolonged pretrial detention and subjected to ill-treatments.<sup>438</sup> Children in detention on charges of ISIL affiliation in Ninewa are reported to experience extremely poor conditions in overcrowded prison cells.<sup>439</sup> Although the use of torture is explicitly outlawed in Iraq, the disciplinary system allows for children to be held in solitary confinement up to seven days, and allows removal of privileges such as family visits. Instances of torture towards children were reported across Iraq and the KRI, in particular to extract confessions,<sup>440</sup> and during criminal hearings interrogation.<sup>441</sup>

Children, who make up the majority of the population across IDPs and returnees from Al Hol camp, face stigma due to their perceived association with ISIL and may face barriers in accessing education and other services.<sup>442</sup> Most of these children are in fact denied access to civil documentation needed to access education and other services.<sup>443</sup> See also [1.1.3 Individuals with \(perceived\) affiliation to ISIL](#).

Children born to Yazidi women raped by ISIL have allegedly been subjected to enforced disappearances upon their mothers’ return to Iraq.<sup>444</sup> Yazidi women are reported to have often been forced to leave their children behind in Syria, and in some cases to place them in orphanages.<sup>445</sup> A UN Delegation visiting Iraq in November 2022 was informed of cases where Yazidi women were not able to take their children back from orphanages, being told that their children had been ‘given’ to another family, with the alleged involvement of state agents. Civil society organisations told the UN Committee that these children are usually sold.<sup>446</sup> By law,<sup>447</sup> children born to a Yazidi mother as a result of ISIL violence are considered to be of ‘unknown’

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<sup>434</sup> UN CAT, Concluding Observations on the Second UN Periodic Report of Iraq, CAT/C/IRQ/CO/2, 15 June 2022, [url](#), para. 26

<sup>435</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#)

<sup>436</sup> UNSC, Children and Armed Conflict in Iraq: Report of the Secretary-General, S/2022/46, 26 January 2022, [url](#), para. 27

<sup>437</sup> HRW, Children as ISIS Suspects, 17 February 2022, [url](#)

<sup>438</sup> UNSC, Children and armed conflict in Iraq, Report of the Secretary-General, 26 January 2022, [url](#), p. 6, para. 27

<sup>439</sup> HRW, Submission to the Committee Against Torture and Other Cruel, Inhuman, or Degrading Punishment Ahead of the Review of the Republic of Iraq 73rd Session: March 2022; 7 April 2022, [url](#)

<sup>440</sup> UNICEF, Mapping and Assessment of the Child Justice System in Kurdistan Region of Iraq, November 2022, [url](#), p. 26; Freedom House, Freedom in the world 2023 Iraq (covering facts of 2022), 2023, [url](#)

<sup>441</sup> UNAMI/OHCHR, Trials under the anti-terrorism laws and implications for justice, accountability and social cohesion in the aftermath of ISIL, 2020), [url](#), p. 8-9

<sup>442</sup> United Nations University, UNIDIR, Rehabilitation and Reintegration of Children from Families with Perceived ISIL Affiliation: Experiences from Iraq and Al Hol, [url](#), p. 7; War on the Rocks, Living In The Shadows: Iraq’s Remaining Displaced Families, 3 February 2022, [url](#)

<sup>443</sup> AI, Iraq: Legacy of Terror: The Plight of Yazidi Child Survivors of ISIS, 30 July 2020, [url](#), pp. 33-34; Rowaq Arabi, Born of ISIS Genocide: Risk of Statelessness and Stigmatised Nationality Acquisition for Children of Yazidi Survivors, 26 August 2020, [url](#)

<sup>444</sup> UN CED, Report of the Committee on Enforced Disappearances on its visit to Iraq under article 33 of the Convention, 19 April 2023, [url](#), para. 31

<sup>445</sup> UNSC, Conflict-related sexual violence, S/2023/413, 22 June 2023, [url](#), para. 15, 37

<sup>446</sup> UN CED, Report of the Committee on Enforced Disappearances on its visit to Iraq under article 33 of the Convention, 19 April 2023, [url](#), para. 31, 25, footnote 40

<sup>447</sup> Iraq, National Card Law No. (3) of 2016, 2016, [url](#), art. 20(2)



paternity, and they are registered as ‘Muslims’.<sup>448</sup> In fact, most of these children are denied access to civil documentation.<sup>449</sup> A local media outlet reported that, in some cases, children born of rape are registered on their national ID card under the name of their mother’s father or other male relatives from their mother’ side.<sup>450</sup> These children are reported to be vulnerable to retribution or ‘honour’ killings, and to be discriminated against within the Yazidi communities, as Yazidis do not consider these children as belonging to their communities.<sup>451</sup> Human Rights Watch researcher Sarah Sanbar said that the problem of children born of rape to Yazidi women enslaved or forced into marriage with ISIL fighters remains a particularly sensitive issue within the Yazidi community, forcing many women to choose between remaining displaced with their children, or returning to their families without their children.<sup>452</sup>

### 1.4.3. Children without civil documentation

Numerous children are prevented from or face obstacles in obtaining official documents.<sup>453</sup> These include children born out of wedlock, of unregistered marriages,<sup>454</sup> children born as a result of ISIL violence or forced marriage<sup>455</sup> (see [1.1.3 Civil documentation and security clearance](#)), and displaced children.<sup>456</sup> Lack of birth certificates and other key civil documents<sup>457</sup> limit children’s access to government services and social protection, including enrolment to school,<sup>458</sup> access to healthcare, housing, employment and social safety nets.<sup>459</sup> Additionally, these children face restrictions of movement,<sup>460</sup> and are subject to stigmatisation, abuse and

<sup>448</sup> IBA, Justice and Accountability for the Atrocities of Daesh, 1 March 2023, [url](#), p. 4; Save the Children, Yazidi Children still Living in Fear 8 Years after Genocide, 22 September 2022, [url](#); USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 21

<sup>449</sup> Al, Iraq: Legacy of Terror: The Plight of Yazidi Child Survivors of ISIS, 30 July 2020, [url](#) pp. 33-34; Rowaq Arabi, Born of ISIS Genocide: Risk of Statelessness and Stigmatised Nationality Acquisition for Children of Yazidi Survivors, 26 August 2020, [url](#)

<sup>450</sup> Rudaw, Iraqi children born to ISIS fathers denied IDs, cannot enroll in school, 23 October 2022, [url](#)

<sup>451</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 30

<sup>452</sup> Sanbar S., email communication with EUAA, 16 March 2024

<sup>453</sup> DRC, Life in the Margins, September 2022, [url](#), p. 3; USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 41

<sup>454</sup> HRW, “My Marriage was Mistake after Mistake”, 3 March 2024, [url](#), pp. 30-31; USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 21; Kirkuk Now, My Name is My Mother’s, Campaign for Thousands of Children, 9 January 2021, [url](#)

<sup>455</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 21; UNSC, Conflict-Related Sexual Violence: Report of the Secretary-General, S/2023/413, 22 June 2023, [url](#), para. 37; Rudaw, Iraqi Children Born to ISIS Fathers Denied IDs, Cannot Enroll in School, 23 October 2022, [url](#)

<sup>456</sup> SEED Foundation, World Children’s Day: To Establish Flourishing Communities, Today and in the Future, we Must Protect the Rights of every Child, 20 November 2023, [url](#)

<sup>457</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 41

<sup>458</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#); AI, Report 2022/23; The State of the World’s Human Rights; Iraq 2022, 27 March 2023, [url](#)

<sup>459</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#); NRC, The Unmet Needs of Iraq’s Children in Informal Settlements, September 2022, [url](#), pp. 18-10; UNHCR, Access to Civil Documentation by IDPs and IDP Returnees in Iraq: 2022-2023, 24 August 2022, [url](#), p. 1

<sup>460</sup> DRC, Life in the Margins, September 2022, [url](#), p. 14; UNHCR, Access to Civil Documentation by IDPs and IDP Returnees in Iraq: 2022-2023, 24 August 2022, [url](#), p. 1



abandonment.<sup>461</sup> Children who lack birth certificates in Iraq are reported to be stateless<sup>462</sup> or at risk of becoming stateless.<sup>463</sup>

#### 1.4.4. Child exploitation and child marriage

Almost half of Iraqi children (47 % or 8.7 million) are reported to live in multidimensional<sup>464</sup> poverty.<sup>465</sup> In 2022, Iraq ‘made minimal advancement in efforts to eliminate the worst forms of child labour’, which is reported as widespread,<sup>466</sup> and on the rise.<sup>467</sup> Some children are trafficked for forced labour, including forced begging, and commercial sexual exploitation.<sup>468</sup> IDP and returnee children,<sup>469</sup> undocumented children, children with disabilities,<sup>470</sup> as well as children of women without male support are reported to be particularly prone to different forms of exploitation, including child labour, forced and/or child marriage, sexual exploitation, and trafficking.<sup>471</sup>

Rates of child marriage have steadily increased over the past 20 years, exacerbating the exposure to sexual and domestic violence.<sup>472</sup> Child marriage is reported to be socially accepted across the country,<sup>473</sup> and instances of child marriages occur throughout Iraq among all ethnic and religious groups at high rates.<sup>474</sup> According to a 2021 study by the Ministry of

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<sup>461</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 30; UN News, New Iraqi Law ‘Major Step’ in Assisting ISIL’s Female Victims but more Must Be Done, 21 April 2021, [url](#)

<sup>462</sup> USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p. 41

<sup>463</sup> UNSC, Conflict-Related Sexual Violence: Report of the Secretary-General, S/2022/272, 29 March 2022, [url](#), para. 33; UNDP, Challenges for the Return and Reintegration of Women and Children, October 2022, [url](#), p. 19; UNHCR, Access to Civil Documentation by IDPs and IDP Returnees in Iraq: 2022-2023, 24 August 2022, [url](#), p. 1

<sup>464</sup> The World Bank defines the Multidimensional Poverty Measure (MPM) as ‘an index that measures the percentage of households in a country deprived along three dimensions –monetary poverty, education, and basic infrastructure services – to capture a more complete picture of poverty. A means to capture the complexity of poverty that considers dimensions of well-being beyond just monetary poverty.’ See World Bank, Multidimensional Poverty Measure, n.d., [url](#)

<sup>465</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 20, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 73 footnote 524; UNICEF, Country Office Annual Report 2022, 15 February 2023, [url](#), pp. 1, 6

<sup>466</sup> USDOL, 2022 Findings on the Worst Forms of Child Labor: Iraq, 26 September 2023, [url](#), pp. 568-569

<sup>467</sup> IRC, High Child Labor Rates in Iraq Continue to Disrupt Children’s Education, Childhood and Basic Rights, the IRC Warns, 23 December 2022, [url](#); i24 News, Poverty, War in Iraq Causes Sharp Spike in Child Labor, 1 March 2023, [url](#); Rudaw, Over 1,000 Children Working in Sulaimani, Halabja Provinces: KRG Minister, 12 June 2023, [url](#); France24/AFP, Wars, Poverty Fuel Spike in Iraqi Child Labour, 1 March 2023, [url](#)

<sup>468</sup> USDOS, 2023 Trafficking in Persons Report: Iraq, 15 June 2023, [url](#); EPC, Iraqi Children, Crisis of Conflict, and the Dysfunctional Education System, 6 July 2022, [url](#); USDOL, 2021 Findings on the Worst Forms of Child Labor: Iraq, 28 September 2022, [url](#)

<sup>469</sup> IRC, Protection Needs Overview April 2023 – September 2023, 10 December 2023, [url](#), pp. 8-10

<sup>470</sup> USDOS, 2023 Trafficking in Persons Report: Iraq, 15 June 2023, [url](#)

<sup>471</sup> CREID, Violence and Discrimination Against Women of Religious Minority Backgrounds in Iraq, 6 December 2022, [url](#), pp. 51-52, 384; Howe K. et al., Circumscribed Lives: Separated, Divorced, and Widowed Female Youth in South Sudan and the Kurdistan Region of Iraq, Tufts University, August 2022, [url](#), p. 23; USDOS, 2023 Trafficking in Persons Report: Iraq, 15 June 2023, [url](#)

<sup>472</sup> HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#)

<sup>473</sup> WVI, Empowered Women, Empowered Children, April 2022, [url](#), p. 27

<sup>474</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 24, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 162 footnote 1164; HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#)





Planning and the Central Statistical Organization, 25.5 % of married women in Iraq were married before the age of 18, and 5.2 % of women were married before 15.<sup>475</sup>

### 1.4.5. Access to education

Primary education enrolment in Iraq stands at over 90 %, but enrolment rates in intermediate and higher education levels are significantly lower.<sup>476</sup> Almost 3.2 million school-aged children are reported to be out of school in Iraq, including approximately half of all displaced children.<sup>477</sup> There are several barriers faced by Iraqi children in accessing education, including lack of sufficient educational facilities, use of schools as shelters by IDPs, costs of transportation and supplies, displacement.<sup>478</sup> Access to education is effectively impeded to children lacking civil documentation,<sup>479</sup> children forced to work,<sup>480</sup> children with disabilities.<sup>481</sup> Girls face additional barriers in accessing education due to socio-cultural norms,<sup>482</sup> while girls forced into marriage are *de facto* excluded from accessing education.<sup>483</sup> In some conflict-affected areas, access to education for children is further hampered by continued insecurity<sup>484</sup> as well as reported destruction of schools and other infrastructure<sup>485</sup> and use of schools for military purposes by armed groups.<sup>486</sup> See also [1.1.3 Individuals with \(perceived\) affiliation to ISIL](#).

## 1.5. LGBTIQ

Consensual same-sex relations between adults are not expressly prohibited by the Iraqi Penal Code.<sup>487</sup> However, the authorities have used a range of vaguely worded provisions to discriminate against and criminally prosecute lesbian, gay, bisexual, transgender, intersex and

<sup>475</sup> Iraq CSO/KRSO, Iraqi Women Integrated Social and Health Survey (IWISH2), 1 April 2021, [url](#), p. 9

<sup>476</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, pp. 10, 24, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 83 footnote 610; UNICEF, Iraq: Country Office Annual Report 2022, 7 March 2023, [url](#), p. 2

<sup>477</sup> IOM, IOM Welcomes Decisions by Directorates of Education in Salah al Din and Ninewa to Protect Children's Right to Education, 27 February 2022, [url](#); IRC, Protection Needs Overview April 2023 – September 2023, 10 December 2023, [url](#), p. 13

<sup>478</sup> USDOL, 2022 Findings on the Worst Forms of Child Labor: Iraq, [url](#), p.568

<sup>479</sup> AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#); DRC, Life in the Margins, 14 September 2022, [url](#), p. 15

<sup>480</sup> USDOL, 2022 Findings on the Worst Forms of Child Labor: Iraq, [url](#), pp. 568-569

<sup>481</sup> Mercy Hands, Rapid Assessment: Understanding the Funding Challenges, Education Needs and Aspirations of Institutes for Children with Disabilities in Basra, Iraq – November 2022, 16 January 2023, [url](#), p. 4

<sup>482</sup> IRC, Protection Needs Overview April 2023 – September 2023, 10 December 2023, [url](#), p. 10; WVI, Empowered Women, Empowered Children, April 2022, [url](#), p. 27; UNDP, Community-Based Reconciliation & Reintegration in Iraq, 28 June 2022, [url](#), p. 18; CREID, Violence and Discrimination Against Women of Religious Minority Backgrounds in Iraq, 6 December 2022, [url](#), pp. 51, 107, 118, 182, 238-239

<sup>483</sup> Stites E., et al., Life after Marriage: An Analysis of the Experiences of Conflict-Affected Female Youth who Married under Age 18 in South Sudan and the Kurdistan Region of Iraq, Tufts University, 23 May 2022, [url](#), p. 10; Manara Magazine, 'With Education you Can Face Every Struggle': Gendered Higher Education in Iraq and Iraqi Kurdistan – Part One: Living in Darkness, 21 February 2022, [url](#)

<sup>484</sup> Rudaw, Fearing ISIS, Dozens of Kurdish Schools Remain Shut in Makhmour, 24 October 2022, [url](#)

<sup>485</sup> The Kurdish Centre for Studies, SOS: Turkey is destroying Rojava's civilian infrastructure, 14 October 2023, [url](#)

<sup>486</sup> UNGA/SC, Children and Armed Conflict in Iraq: Report of the Secretary-General, A/77/895-S/2023/363, 5 June 2023, [url](#), para. 75; HRW, Iraq: Political Infighting Blocking Reconstruction of Sinjar, 6 June 2023, [url](#)

<sup>487</sup> Iraq, Penal Code, No. 111 of 1969, July 1969, [url](#)





queer individuals (LGBTIQ), on grounds such as public indecency and prostitution.<sup>488</sup> In August 2023, a draft amendment to Iraq's Anti-Prostitution Law (Law No. 8 of 1988) was introduced,<sup>489</sup> foreseeing the criminalisation of consensual same sex relations with the death penalty or life imprisonment,<sup>490</sup> 'promoting homosexuality' with a minimum seven years in prison and a fine and 'imitating women' with up to a three-year sentence.<sup>491</sup> The law was passed by the Iraqi parliament on 27 April 2024.<sup>492</sup>

In August 2023, the Iraqi Communications and Media Commission issued a directive ordering all media outlets to replace the term 'homosexuality' with the term 'sexual deviance', and banning the use of the term 'gender'.<sup>493</sup> In September 2022, members of the Kurdistan regional parliament had introduced the 'Bill on the Prohibition of Promoting Homosexuality,' which, if passed, would punish any individuals or groups advocating for LGBTIQ rights.<sup>494</sup>

Both men and women face harassment, abuse by family members or state actors, and detention for not conforming to traditional appearance or behaviour that is perceived to match their biological sex.<sup>495</sup> For instance, in September 2023, blogger Noor Al Saffar was killed by an unknown gunman, likely due to Al Saffar's social media posts dressed in women's clothing.<sup>496</sup> Sources noted an escalation of anti-LGBTIQ sentiments,<sup>497</sup> with violence and discrimination against LGBTIQ individuals<sup>498</sup> described as 'rampant'.<sup>499</sup> In a 2022 report, Human Rights Watch documented killings, abductions, torture, and sexual violence against LGBTIQ individuals perpetrated by armed groups in Iraq.<sup>500</sup> Armed actors and law enforcement officers have perpetrated violence with impunity towards LGBTIQ individuals.<sup>501</sup>

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<sup>488</sup> HRW, Iraq: Scrap Anti-LGBT Bill, 23 August 2023, [url](#); HRW, 'Everyone Wants Me Dead', 23 March 2022, [url](#), p. 3

<sup>489</sup> UNSC, Implementation of Resolution 2682 (2023): Report of the Secretary-General, S/2023/700, 26 September 2023, [url](#), para. 17

<sup>490</sup> UN OHCHR, Iraq: UN Human Rights alarmed by draft law with death penalty for same-sex relations, 9 February 2024, [url](#)

<sup>491</sup> HRW, Iraq: Scrap Anti-LGBT Bill, 23 August 2023, [url](#)

<sup>492</sup> Reuters, Iraq criminalises same-sex relationships with maximum 15 years in prison, 27 April 2024, [url](#); AP, Passage of harsh anti-LGBTQ+ law in Iraq draws diplomatic backlash, 28 April 2024, [url](#)

<sup>493</sup> HRW, Iraq: Scrap Anti-LGBT Bill, 23 August 2023, [url](#); Al, Iraq: Authorities must immediately reverse media ban on the terms "homosexuality" and "gender", 9 August 2023, [url](#)

<sup>494</sup> HRW, Iraq: Scrap Anti-LGBT Bill, 23 August 2023, [url](#)

<sup>495</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#)

<sup>496</sup> GCHR, GCHR's 30th Periodic Report on Human Rights Violations in Iraq, 9 November 2023, [url](#); Sanbar S., email communication with EUAA, 16 March 2024

<sup>497</sup> ABC News, Iraq's LGBT Community Could Face Death Penalty under Proposed New Law, 16 September 2023, [url](#); Freedom House, Freedom on the Net 2023: Iraq, 4 October 2023, [url](#); AP, Influential Iraqi cleric launches anti-LGBTQ campaign, 2 December 2022, [url](#)

<sup>498</sup> OutRight International, What it Means to Be a Queer Woman, 23 February 2022, [url](#), p. 20

<sup>499</sup> HRW, Iraq: Impunity for Violence Against LGBT People, 23 March 2022, [url](#)

<sup>500</sup> HRW, 'Everyone Wants Me Dead', 23 March 2022, [url](#), pp. 1-4

<sup>501</sup> HRW, Iraq: Scrap Anti-LGBT Bill, 23 August 2023, [url](#); HRW, Iraq: Impunity for Violence Against LGBT People, 23 March 2022, [url](#)





## 1.6. Individuals perceived as transgressing moral and religious norms

As a result of clan customs and tribal traditions, abuses and killings within the Iraqi society occur on grounds of ‘the wash of shame’.<sup>502</sup> Mostly women,<sup>503</sup> and to a lesser extent men,<sup>504</sup> can be subjected to honour-based killings, being perceived to have transgressed cultural, social or religious norms, and brought shame to their family.<sup>505</sup> (See also [1.3.1 Domestic and honour-based violence](#)). Sources reported attacks against people perceived to contravene these rules due to dress<sup>506</sup> or social behaviour,<sup>507</sup> as well as converts,<sup>508</sup> members of religious minority groups,<sup>509</sup> atheists and secular-minded individuals,<sup>510</sup> LGBTIQ individuals.<sup>511</sup> People contravening gender roles through dress or same-sex relationships are considered to have damaged honour of family and tribe,<sup>512</sup> violated national values, and promoted ‘moral decay’.<sup>513</sup> An intensified anti-LGBTIQ campaign has been carried out by the government since 2023, based on the argument – among others – that LGBTIQ issues are an import from Western countries.<sup>514</sup> (See also [1.5 LGBTIQ](#)).

Tribal actors committing honour-based violence are reported to be allowed to act with impunity in Iraq, not only when it comes to women’s issues but in general.<sup>515</sup> A US-based Iraq analyst told the EUAA that this is also the case in the KRI, where political connections can, in practice, provide impunity to perpetrators of tribal or clan violence. Also, in the KRI

<sup>502</sup> Al-Obaidi, B. S. H., The impact of legislation on empowering women. A comparative study between the effective Iraqi Penal Code No. 111 of 1969 and the new draft Iraqi Penal Code, *Journal of Positive School Psychology*, Vol. 6 No. 2, 2022, [url](#), p. 6146

<sup>503</sup> Ceasefire Centre for Civilian Rights, Correspondence with EUAA, 16 March 2023; OWFI, Interview with EUAA, 16 March 2023, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#); Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 30

<sup>504</sup> UNHRC, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq, 5 June 2018, [url](#), para. 40; Ceasefire Centre for Civilian Rights/MRGI, The Lost Women of Iraq: Family-based violence during armed conflict, October 2015, [url](#), p. 26; Rudaw, Trans Woman Killed by Brother, Perpetrator Flees Country, 2 February 2022, [url](#)

<sup>505</sup> AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#); Hamoudi, H. A et al., The Resolution of Disputes in State and Tribal Law in the South of Iraq, 2015, [url](#); p. 240; Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), pp. 30-31

<sup>506</sup> LBC, Shocking Footage Shows Male Mob Attacking Girl, 17, for Dressing ‘Immodestly’ at Iraqi Motorcycle Show, 4 January 2023, [url](#)

<sup>507</sup> DW, Iraqi Kurdistan: 16 Arrested after Video of Girl's Assault, 31 December 2022, [url](#)

<sup>508</sup> Al-Samaraie, N., Interview with EUAA, 27 October 2022, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#); Open Doors, Iraq: Full Country Dossier, January 24, 2022, [url](#), pp. 24, 31

<sup>509</sup> Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), pp. 1-8; USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#); CREID, Violence and Discrimination Against Women of Religious Minority Backgrounds in Iraq, 6 December 2022, [url](#), pp. 185, 297

<sup>510</sup> Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 22; DW, When Atheism is Life-Threatening, 20 December 2018, [url](#); AP, Fearing ostracism or worse, many nonbelievers hide their views in the Middle East and North Africa, 5 October 2023, [url](#)

<sup>511</sup> HRW, ‘Everyone Wants Me Dead’, 23 March 2022, [url](#), p. 21

<sup>512</sup> HRW, ‘Everyone Wants Me Dead’, 2022, [url](#), pp. 70-72; Sanbar S., email communication with EUAA, 16 March 2024

<sup>513</sup> Al Jazeera, As Iraq Backslides on Gender Equality, Where Are Its Women MPs?, 9 September 2023, [url](#)

<sup>514</sup> DW, Iraq debates law on death penalty for same-sex relationships, 7 September 2023, [url](#)

<sup>515</sup> Alshamary, M., Interview with Al Jazeera, The Stream, Why hasn't Iraq adopted any laws against domestic violence?, 15 February 2023, [url](#), minutes 1:19 - 1:37; 8:38 – 9:50



increasingly more people are reported to solve their issue through tribal justice mechanism.<sup>516</sup> (For more information on the impact of Iraqi tribal customary laws and practices on certain groups and individuals see [EUAA COI Report Iraq: Arab tribes and customary law, April 2023](#)).

In January 2023, an online platform was launched by the Iraqi government for monitoring and reporting 'indecent content' on social media<sup>517</sup> that, according to authorities, 'violates public morals, customs and traditions, and is disrespectful towards military institutions', and 'undermines the values of the Iraqi family.'<sup>518</sup> However, researcher at Human Rights Watch, Sarah Sanbar, informed EUAA that the platform was blocked a few months after its launch and that it remains blocked by the time of drafting this report.<sup>519</sup> Media sources reported that, soon after the platform was launched, 14 people were charged for publishing 'indecent' or 'immoral' content on social media, six of whom were already sentenced to prison terms ranging between six months to two years.<sup>520</sup> Among those targeted for violating public moral and decency<sup>521</sup> were people who posted videos of music deemed provocative (such as TikTok pop music influencers),<sup>522</sup> dance moves, modelling fashion clothes,<sup>523</sup> comedy and sarcastic commentary, language deemed obscene, or raised sensitive social issues such as gender-related topics.<sup>524</sup> Sources noted that such crackdown is part of a broader campaign by the government to repress dissent,<sup>525</sup> especially among a more secular-minded young generation which tries to defy traditional norms of Iraqi conservative society. In some neighbourhoods of the capital Baghdad, for instance, it is possible to see some young Iraqi men and women wearing jeans and sneakers, listening to music, taking music or dance classes. These individuals are however reported to be wary of criticism or targeting by conservative sections of society or militias connected to political parties.<sup>526</sup> The ban of the term 'gender' and the order to replace the term 'homosexuality' with the term 'sexual deviance' in August 2023<sup>527</sup> has reportedly had an impact on the work of academics and staff at humanitarian organisations. Some gender-studies courses at universities had to be suspended, while NGO workers have been warned to avoid using the term in their activities.<sup>528</sup>

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<sup>516</sup> US-based Iraq analyst, Interview with EUAA 12 December 2023, and email communication 4 March 2024

<sup>517</sup> Al, Iraq: Open Letter to Prime Minister Al-Sudani: End Iraq's Reign of Impunity, 15 March 2023, [url](#)

<sup>518</sup> Iraqi New Agency, Ministry of Interior: Forming a committee to monitor content on social media, 16 January 2023, [url](#)

<sup>519</sup> Sanbar S., email communication with EUAA, 16 March 2024

<sup>520</sup> Al, Iraq: Open Letter to Prime Minister Al-Sudani: End Iraq's Reign of Impunity, 15 March 2023, [url](#)

<sup>521</sup> Library of Congress, Iraq: Authorities Arrest Two Social Media Creators for Indecency and Publishing 'Degrading Content' on TikTok, 9 January 2024, [url](#)

<sup>522</sup> France24/AFP, TikTokers jailed as Iraq targets 'decadent content', 16 February 2023, [url](#)

<sup>523</sup> New York Times, As Iraq Tries to Chill Critics, Its Newest Target Is Social Media, 16 July 2023, [url](#); Article 19, Iraq: Authorities must cease their chilling crackdown on free speech, 3 March 2023, [url](#)

<sup>524</sup> AP, Iraq's crackdown on booze, social media posts raises alarm, 10 March 2023, [url](#)

<sup>525</sup> New York Times (The), As Iraq Tries to Chill Critics, Its Newest Target Is Social Media, 16 July 2023, [url](#)

<sup>526</sup> AP, 20 years after U.S. invasion, young Iraqis see signs of hope, 17 March 2023, [url](#); Guardian (The), Baghdad's young people battle to build happier future – picture essay, 12 May 2023, [url](#)

<sup>527</sup> HRW, Iraq: Scrap Anti-LGBT Bill, 23 August 2023, [url](#); Al, Iraq: Authorities must immediately reverse media ban on the terms "homosexuality" and "gender", 9 August 2023, [url](#)

<sup>528</sup> Al Jazeera, As Iraq Backslides on Gender Equality, Where Are Its Women MPs?, 9 September 2023, [url](#)



### 1.6.1. Individuals selling/consuming alcohol

As of March 2023, Iraq's government announced it would start enforcing<sup>529</sup> a 2006 law banning alcohol<sup>530</sup> which prohibits the import, sale, and manufacture of all alcoholic beverages.<sup>531</sup> Under Islamic law, alcohol is proscribed in Iraq and licenses to sell alcohol have only been issued to non-Muslims. While drinking in public is not prohibited,<sup>532</sup> it is said to be frowned upon.<sup>533</sup> In most areas of Iraq, including in the KRI, selling, buying and consuming alcohol is widely seen as immoral. The charge of being an alcohol seller attaches a stigma to someone, by reason even of ethnic or religious identity. However, 'quite a lot of Iraqis' are said to consume alcohol.<sup>534</sup> For instance, on the banks of the Tigris River in the capital Baghdad, it is not unusual to see young people drinking alcohol.<sup>535</sup> The enforcement of the ban raised concerns among many residents in the city of Baghdad and among minority groups,<sup>536</sup> as the majority of shops selling alcohol are owned by members of religious minorities.<sup>537</sup> (See also [1.2 Ethnic and religious minorities](#)). Prior to the enforcement of the ban, attacks targeting alcohol selling shops were reported.<sup>538</sup> According to ACLED, since 2020 there has been an escalation of attacks against alcohol store sellers by PMF militias. Between October 2021 and February 2022, over 35 attacks mostly involving the targeting of liquor stores with IEDs were recorded.<sup>539</sup> Sabeen-Mandean, Yazidis, and Christians who own stores with alcohol sales licenses reported being blackmailed and attacked by PMF militias.<sup>540</sup>

Following the enforcement of the ban in March 2023, local sources reported that a number of liquor shops were raided and forced to close, with owners arrested in central Baghdad.<sup>541</sup> Except for the KRI, which has not enforced the ban, prohibition of alcohol import was reported to be enforced at border crossings, however many liquor stores across Iraq are said to continue business as usual.<sup>542</sup> In March 2024, a US-based Iraq analyst informed the EUAA that alcohol was widely available in the KRI, but also in Federal Iraq despite the restrictions.<sup>543</sup> Similarly, Sarah Sanbar, researcher at HRW, told the EUAA that both in the KRI and in Baghdad alcohol shops as well as restaurants selling alcohol were still open and serving alcohol by the time of drafting this report. The same source additionally stated that, prior to the enforcement of the alcohol ban, it was common, in rural or less urban areas, for

<sup>529</sup> AP, Iraq's crackdown on booze, social media posts raises alarm, 10 March 2023, [url](#); BBC, Iraq Alcohol Ban: Christian Political Party Appeals, Saying it Is Undemocratic, 6 March 2023, [url](#)

<sup>530</sup> AP, Iraqi parliament passes bill banning alcohol, 23 October 2016, [url](#); BBC, Iraq Alcohol Ban: Christian Political Party Appeals, Saying it Is Undemocratic, 6 March 2023, [url](#)

<sup>531</sup> Rudaw, Alcohol ban worries locals in Baghdad, 18 May 2023, [url](#)

<sup>532</sup> Reuters, Iraq starts enforcing 2016 ban on alcoholic beverages -document, 6 March 2023, [url](#)

<sup>533</sup> Lattimer, M., originally cited in EASO COI Report, Targeting of Individuals, March 2019, [url](#), p. 85; Reuters, Iraq starts enforcing 2016 ban on alcoholic beverages -document, 6 March 2023, [url](#)

<sup>534</sup> Lattimer, M., originally cited in EASO COI Report, Targeting of Individuals, March 2019, [url](#), p. 85

<sup>535</sup> Reuters, Iraq starts enforcing 2016 ban on alcoholic beverages -document, 6 March 2023, [url](#)

<sup>536</sup> AP, Iraq's crackdown on booze, social media posts raises alarm, 10 March 2023, [url](#)

<sup>537</sup> Rudaw, Alcohol ban worries locals in Baghdad, 18 May 2023, [url](#)

<sup>538</sup> Hatha Alyoum, Liquor Depot Blasted in Al-Diwaniyah, 16 June 2022, [url](#); NINA, Explosion of a Shop Selling Alcoholic Drinks in the Tourist Resort of Babylon, 11 June 2022, [url](#); NINA, Unidentified Persons Demolished a Store for Selling Alcoholic in Diwaniyah, 13 April 2022, [url](#)

<sup>539</sup> ACLED, The Muqawama and its Enemies, 23 May 2023, [url](#)

<sup>540</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 20

<sup>541</sup> NINA, A Number of Violating Liquor Store Owners Arrested in Central Baghdad, 28 March 2023, [url](#); Rudaw, Nearly 200 arrested in raid on Baghdad gambling halls, 18 April 2023, [url](#)

<sup>542</sup> AP, Iraq's crackdown on booze, social media posts raises alarm, 10 March 2023, [url](#)

<sup>543</sup> US-based Iraq analyst, Interview with EUAA 12 December 2023, and email communication 4 March 2024



alcohol vendors to ask for one's ID, as they would only sell to those whose ID does not have 'Muslim' listed on it. However, the source did not have any information on whether this has changed following the enforcement of the ban. Sanbar further added that the 'general feeling is that the ban was enacted as political theatre rather than a serious desire to ban alcohol'.<sup>544</sup>

## 1.6.2. Converts and atheists

Besides being prohibited under the Personal Status Law,<sup>545</sup> religious conversion from Islam to Christianity or other religions is socially taboo in Iraq, and ill-perceived by society and tribal groups.<sup>546</sup> A study outsourced by the organisation Joint Initiative for Strategic Religious Action (JISRA) showed that, due to the strong connection between ethnic affiliation and religion, atheism can be perceived as a 'denial of ethnic identity'.<sup>547</sup> (See also [1.2 Ethnic and religious minorities](#)). Although conversion does occur in Iraq, converts opt to hide their conversion to Christianity or any other religion. Converts might be expelled from the territory upon decision of tribal leaders, sometimes with support of their own family,<sup>548</sup> they might face challenges in seeking a job, buy/rent an apartment or deal with authorities, for instance in obtaining documentations and certificates.<sup>549</sup> Converts from Muslim background experience pressure,<sup>550</sup> ostracism and discrimination,<sup>551</sup> especially from family and community members.<sup>552</sup> The KRI in particular saw an increase in reports of women killed by male relatives, including for reasons such as converting to a different religion.<sup>553</sup> An expert on Iraqi tribes told the EUAA that converting from one religion to any other is 'a red line' for all tribes in Iraq, be it from Islam to Christianity or Christianity to Islam: 'from the perspective of religion, it provides a permission to kill since the person has become an infidel. This is the general code among all the tribes, among all ethnicities and all religions.'<sup>554</sup> (For more information on the treatment of Muslim converts within the context of Arab tribes see [EUAA COI Report Iraq: Arab tribes and customary law, April 2023](#)). If suspected of carrying out outreach among Muslims, Christian converts might be accused of blasphemy. Violations against converts are reported to be more prevalent in Arab than Kurdish areas.<sup>555</sup>

Harassment and violence against atheists by family members, religious and militia groups are reported to occur.<sup>556</sup> Agnostics, atheists and non-believers generally do not publicly disclose

<sup>544</sup> Sanbar S., email communication with EUAA, 16 March 2024

<sup>545</sup> USDOS, 2022 Report on International Religious Freedom: Iraq, 15 May 2023, [url](#), p. 6; Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), p. 7

<sup>546</sup> Al-Samaraie, N., Interview with EUAA, 27 October 2022, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#), p. 72; Open Doors, Iraq: Full Country Dossier, January 24, 2022, [url](#), p. 24, 31

<sup>547</sup> JISRA, JISRA in Iraq, August 2022, [url](#), p. 3

<sup>548</sup> Al-Ibrahimi, H., Interview with EUAA, 27 October and 3 November 2022, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#), p. 73

<sup>549</sup> Finland, FIS, Kristityt, ateistit ja islamista luopuneet Irakissa, May 18, 2022, [url](#), p. 16

<sup>550</sup> Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), pp. 3, 4, 6

<sup>551</sup> RFI, Country Overview Iraq, March 2023, [url](#), p. 4

<sup>552</sup> Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), pp. 3, 4, 6; RFI, Country Overview Iraq, March 2023, [url](#), p. 4;

<sup>553</sup> AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#)

<sup>554</sup> Al-Ibrahimi, H., Interview with EUAA, 3 November 2022, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#), p. 74

<sup>555</sup> Open Doors International, World Watch List 2024: Iraq, January 2024, [url](#), p. 3

<sup>556</sup> DW, When Atheism is Life-Threatening, 20 December 2018, [url](#); Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 18



their believes due to stigma from society and out of fear of being targeted<sup>557</sup> by family members, vigilantes and conservative and hardline religious groups.<sup>558</sup> Despite the lack of official statistics, atheism is reported to be on the rise in Iraq.<sup>559</sup>

### 1.6.3. Individuals in inter-sect/inter-faith marriages

Reliable figures on the prevalence of mixed marriages are not available.<sup>560</sup> Notwithstanding exceptional cases, marriages between Sunni and Shia Muslims are reported to be common and not controversial in Iraq, especially in demographically mixed areas like the capital Baghdad.<sup>561</sup> In areas that experienced continued tensions between Sunnis and Shias (e.g. in Tal Afar, in the Ninewa governorate),<sup>562</sup> mixed marriages among these communities may not be accepted. For instance, in the Ninewa Plains inter-sect marriages are reported to be no longer accepted due to the tension between Shia and Sunni Shabaks, as a result of ISIL's targeting of Shia Shabaks.<sup>563</sup> Intolerance towards inter-sect/inter-faith marriage might also occur in circumstances when one spouse is a member of a tribe with perceived affiliation to ISIL, or perceived 'honour' violations (such as the perception that the couple engaged in sex prior to wedlock, or if they marry in violation of their families' wishes). Muslim women marrying non-Muslim men risk stigmatisation, exclusion, and, in extreme cases, honour killing if they proceed with the marriage against their families' wishes.<sup>564</sup> In situations where families do not approve inter-faith marriage (e.g. between a Muslim and a Christian or a Sunni and a Shia), both men and women might be subjected to honour killings, although women are more likely to be victim of this practice. In some cases, it is also possible that a clan or a tribe will punish a member (especially a woman) for engaging in a mixed marriage, for instance by expelling the person from the tribe.<sup>565</sup> Some minority communities, including Sabeen-Mandeans<sup>566</sup> and Yazidis, do not permit their members to marry outside their faith, with repercussions against those breaking the religious norms,<sup>567</sup> including stigmatisation, exclusion, and, in extreme

<sup>557</sup> Freedom House, Freedom in the World 2023 – Iraq (covering facts of 2022), 2023, [url](#); AP, Fearing ostracism or worse, many nonbelievers hide their views in the Middle East and North Africa, 5 October 2023, [url](#);

<sup>558</sup> Humanists International, Iraq, last updated 28 October 2020, [url](#); Arab Weekly, Iraq's Growing Community of Atheists no Longer Peripheral, 20 July 2019, [url](#); DW, When Atheism is Life-Threatening, 20 December 2018, [url](#); USCIRF, Country Update Iraq, September 2023, [url](#), p. 3

<sup>559</sup> Graczyk, A., Atheism and the Changing Image of Islam in Iraq, Review of Nationalities, nr 10/2020, 18 May 2021, [url](#), p. 174; USCIRF, Country Update Iraq, March 2022, [url](#), p. 2

<sup>560</sup> US-based Iraq analyst, email communication to EUAA, 4 March 2024; Sanbar S., email communication to EUAA, 16 March 2024

<sup>561</sup> BBC, 'Sushi' children defy Sunni-Shia divide, 18 June 2016, [url](#); Canada, IRB, Iraq: Inter-Sect Marriage Between Sunni and Shia Muslims, Including Prevalence; Treatment of Inter-Sect Spouses and their Children by Society and Authorities, Including in Baghdad; State Protection Available (2016-January 2018), 29 January 2018, [url](#)

<sup>562</sup> Action Against Hunger, Drivers of Conflict and Community Tensions in Post-War Iraq, 5 May 2023, [url](#), p. 12

<sup>563</sup> SIPRI, Post-Conflict Reconstruction in the Nineveh Plains of Iraq: Agriculture, Cultural Practices and Social Cohesion, November 2022, [url](#), p. 20; Action Against Hunger, Conflict sensitivity assessment in Ninewa, 27 January 2023, [url](#)

<sup>564</sup> Sanbar S., email communication with EUAA, 16 March 2024

<sup>565</sup> Lattimer, M., originally cited in EASO COI Meeting Report – Iraq, 25-26 April 2017, [url](#), p. 24; Canada, IRB, Iraq: Inter-Sect Marriage Between Sunni and Shia Muslims, Including Prevalence; Treatment of Inter-Sect Spouses and their Children by Society and Authorities, Including in Baghdad; State Protection Available (2016-January 2018), 29 January 2018, [url](#)

<sup>566</sup> CREID, Violence and Discrimination Against Women of Religious Minority Backgrounds in Iraq, 6 December 2022, [url](#), pp. 160, 167

<sup>567</sup> JISRA, JISRA in Iraq, August 2022, [url](#), p. 3; Manara Magazine, Addressing the Challenges Facing Iraq's Yazidi Community in 2022, 17 March 2022, [url](#)





cases, honour killing.<sup>568</sup> According to Al-Samaraie, an expert on tribes in Iraq, there are cases of Christian women who marry Muslim men who have been banished by their families due to social pressure.<sup>569</sup> (See also [1.2 Ethnic and religious minorities](#)).

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<sup>568</sup> Sanbar S., email communication with EUAA, 16 March 2024

<sup>569</sup> Al-Samaraie, N., Interview with EUAA, 27 October 2022, originally cited in EUAA, COI Report, Iraq: Arab tribes and customary law, April 2023, [url](#)







## 2. Key socio-economic indicators for Baghdad and Sulaymaniyah

### 2.1. Country overview

#### 2.1.1. Socio-economic situation

Iraq is experiencing rapid population growth, with an estimated population of 43 million in 2023 and predictions of a population surge to 74.5 million by 2050.<sup>570</sup> After the sharp recession caused by the COVID-19 pandemic in 2020, Iraq's economy rapidly recovered in 2022 thanks to increase in oil-selling, resulting in accelerated GDP growth.<sup>571</sup> In the first quarter of 2023, GDP growth however decelerated to 2.6 %.<sup>572</sup> Iraq is economically one of the most oil-dependent countries in the world, with its national revenue heavily reliant on selling oil.<sup>573</sup> This makes its economy vulnerable to fluctuations of oil prices and global demand.<sup>574</sup> Corruption and inequality in the distribution of national income in oil economy<sup>575</sup> are considered among the country's main problems and the root causes for political, social and economic issues which have fuelled several anti-government protests.<sup>576</sup>

Unemployment<sup>577</sup> and poverty are high across the country and large sections of the population.<sup>578</sup> According to latest available data, in 2021, Iraq's unemployment rate was 16.5 %, with a higher rate among women (28.2 %) compared to men (14.7 %). Youth unemployment rate stood at 35.8 %.<sup>579</sup> The lack of job opportunities, especially among young people, has been a frequent trigger for social unrest<sup>580</sup> and migration.<sup>581</sup>

<sup>570</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 10 cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 67, footnote 473

<sup>571</sup> World Bank, Iraq Economic Monitor, Spring/Summer 2023, 31 July 2023, [url](#), pp. ix-x, 1; IMF, Iraq: 2022 Article IV Consultation-Press Release; and Staff Report, 3 February 2023, [url](#), p. 5

<sup>572</sup> World Bank, Iraq Economic Monitor, Spring/Summer 2023, 31 July 2023, [url](#), pp. ix-x, 1

<sup>573</sup> ISPI, Iraq's Economy: Old Obstacles and New Challenges, 17 March 2023, [url](#); Qardaghi O., The unequal distribution of income within an oil economy - Iraq as a case study, CFRI, 18 January 2023, [url](#)

<sup>574</sup> ECFR, From Shock and Awe to Stability and Flaws: Iraq's Post-Invasion Journey, 25 May 2023, [url](#)

<sup>575</sup> AP, Corruption, Deep Disparity Mark Iraq's Oil Legacy post-2003, 24 March 2023, [url](#); Prospect, Iraq: The Fallout, 1 March 2023, [url](#)

<sup>576</sup> Qardaghi O., The unequal distribution of income within an oil economy - Iraq as a case study, CFRI, 18 January 2023, [url](#)

<sup>577</sup> World Bank, Iraq Economic Monitor, Spring/Summer 2023, 31 July 2023, [url](#), p. 2

<sup>578</sup> ISPI, Iraq's Economy: Old Obstacles and New Challenges, 17 March 2023, [url](#); UNSC, Implementation of Resolution 2631 (2022): Report of the Secretary-General, S/2023/340, 11 May 2023, [url](#), para. 64

<sup>579</sup> ILO/CSO/KRSO, Iraqi Labour Force Survey 2021, 5 July 2022, [url](#), pp. 6, 15

<sup>580</sup> ILO, Cost of Inaction: Education Deprivation in Iraq and the Potential of Social Protection to Reverse it, 7 March 2023, [url](#), p. 7; RFI/AFP, Iraq's Young Covet Govt Jobs in Headache for Economy, 2 October 2022, [url](#); UNDP, Reimagining the Social Contract in Iraq, 12 June 2022, [url](#), pp. 17, 19

<sup>581</sup> Rudaw, Kurdistan Region's Youth Blame Lack of Opportunities for Desire to Migrate, 6 September 2023, [url](#); Euronews/AFP, Scarred by War, Young Iraqis Describe the Twenty Years after 'Shock and Awe', 25 March 2023, [url](#); CFRI, The Root Causes of Kurdish Iraqi Migration: Early Warnings of an Impending Youth Quake in the KRI, 13 July 2022, [url](#); WFP, Prospects for Resilience amid Fragility: Conflict Analysis of Al-Qurna and Al-Dair Districts in Basra Governorate, March 2022, [url](#), p. 6



A country highly dependent on food imports,<sup>582</sup> Iraq has continued to significantly rely on import of rice, wheat, and flour to supply citizens with subsidised food from the Public Distribution System (PDS).<sup>583</sup> Due to the devaluation of the Iraqi dinar in December 2020, prices for some imported essential foods rose.<sup>584</sup> Along with the poor rainfall season of 2020-2021,<sup>585</sup> the Ukraine-Russia war has exacerbated the food security situation in Iraq, being the two countries key suppliers of food, energy, and agricultural inputs globally.<sup>586</sup> As of 1 August 2023, 1.2 million people in Iraq were living with insufficient food consumption and 2.5 million were in a situation of 'crisis or above crisis level food-based coping strategies'.<sup>587</sup> The governorates with the highest prevalence of insufficient food consumption, in order of severity, were: Anbar, Najaf, Salah al-Din, Baghdad, Basrah, Kerbala, Muthanna, Babil, Dahuk, Ninewa, Thi-Qar, Kirkuk.<sup>588</sup>

Due to a range of factors, including primarily corruption, underinvestment and neglect by the government<sup>589</sup> - as well as pressure caused by rapid population growth,<sup>590</sup> and the effect of climate change<sup>591</sup> - access to basic services such as clean water, electricity, healthcare and education is deemed insufficient.<sup>592</sup> In June 2023, Iraq's parliament approved its largest budget till date (\$153bn) aimed at improving services, rebuilding war-damaged infrastructure and creating public sector jobs.<sup>593</sup> Despite these efforts, as a result of the economic and political situation, as well as weak governance and corruption,<sup>594</sup> reconstruction has been uneven.<sup>595</sup>

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<sup>582</sup> World Bank, Iraq Economic Monitor, Fall 2019, [url](#), p. 22; WFP, Iraq Market Monitor, March 2022, [url](#), p. 2

<sup>583</sup> USDA, Grain and Feed Annual Iraq, 18 May 2023, [url](#), p. 1

<sup>584</sup> WFP, Iraq Annual Country Report 2020: Country Strategic Plan 2020-2024, 20 April 2021, [url](#), p. 7; FAO et al., Food Security in Iraq: Impact of COVID-19, with a Special Section on Water Shortages and Adaptation, 3 October 2021, [url](#), p. 28

<sup>585</sup> WFP, Iraq; Annual Country Report 2022; Country Strategic Plan 2020 – 2024, 31 March 2023, [url](#)

<sup>586</sup> WFP, Iraq Market Monitor, March 2022, [url](#), p. 1

<sup>587</sup> The Hunger Map Live by the World Food Programme (WFP) tracks core indicators of acute hunger. As noted by the WFP: 'Acute hunger is measured by key indicators such as household food consumption, livelihood behaviors, child nutritional status, mortality, access to clean drinking water and other contextual factors. The HungerMap LIVE primarily tracks trends on household food consumption, consumption-based coping and livelihood changes to track multiple aspects of food insecurity. As these are outcome level 1 indicators in the Integrated Food Security Phase Classification (IPC) Framework, they can provide early indications of potential shifts in acute food insecurity.' WFP, Hunger Map Live: Iraq insight and key trends, 1 August 2023, [url](#), p. 1

<sup>588</sup> WFP, Hunger Map Live: Iraq insight and key trends, 1 August 2023, [url](#), p. 2

<sup>589</sup> Mansour R., Rethinking Political Settlements in the Middle East and North Africa, Chatham House, 20 September 2023, [url](#), pp. 17-18; UNDP, Reimagining the Social Contract in Iraq, 12 June 2022, [url](#), pp. 24-25

<sup>590</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 10 cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 67, footnote 473

<sup>591</sup> UNICEF, 2024 Humanitarian Action for Children, December 2023, [url](#), p. 2; Kirkuk Now, Nawjul Deserted for Poor Services and Effects of Climate Change, 15 January 2024, [url](#)

<sup>592</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 16, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 67, footnote 471; UNSC, Implementation of Resolution 2631 (2022): Report of the Secretary-General, S/2023/340, 11 May 2023, [url](#), para. 64; Mansour R., Rethinking Political Settlements in the Middle East and North Africa, Chatham House, 20 September 2023, [url](#), pp. 17-18

<sup>593</sup> Al Jazeera, Iraq approves record \$153bn budget aimed at creating jobs, 12 June 2023, [url](#); EPC, Iraq Passes New Budget, but Old Problems Persist, 18 July 2023, [url](#)

<sup>594</sup> Washington Institute, What Could Iraqis Gain from Their Oil Windfall?, 18 November 2022, [url](#); UN Iraq, Iraq Common Country Analysis 2022, 27 July 2022, [url](#), p. 27

<sup>595</sup> UNICEF, Humanitarian Action for Children 2024: Iraq, 12 December 2023, [url](#), p. 2; Kurdistan 24, Iraq's President Pledges Reconstruction in Nineveh, 28 December 2022, [url](#); IOM, No Way Home: An Assessment of Barriers to Sustainable Return and Reintegration in Locations of No Return, June 2022, [url](#)



The Iraqi public healthcare system has severely deteriorated over the past two decades and has continued to be largely in crisis, facing a range of serious challenges, including widespread corruption and poor governance. The quality and efficiency of the healthcare system as well as the accessibility to basic services remain poor and inadequate for most Iraqis, and especially for those economically marginalised.<sup>596</sup> Along with the poor quality of medical services, major issues include also recurring shortages of medications,<sup>597</sup> as well as the lack of medical equipment,<sup>598</sup> and the lack of qualified health workers.<sup>599</sup> Not all damaged or destroyed public health facilities in areas affected by conflict have been rehabilitated.<sup>600</sup>

Free public health services are only available for those holding valid civil documentation,<sup>601</sup> with limited access for those not holding ID documents.<sup>602</sup> A survey by REACH found, however, that there is no relationship between missing civil documentation and access to healthcare services, with the vast majority of households surveyed (94 %) reporting to be able to access healthcare facilities irrespective of their civil documentation status.<sup>603</sup> The quality and availability of healthcare in the KRI is slightly better than in the rest of Iraq,<sup>604</sup> however much of the capacity is concentrated in urban areas.<sup>605</sup> Due to budget deficits at times health worker salaries have been delayed, with implications on the provision of medical services.<sup>606</sup>

Primary education enrolment in Iraq stands at over 90 %, but enrolment rates in intermediate and higher education levels are significantly lower.<sup>607</sup> Illiteracy rates remain high in Iraq,<sup>608</sup> especially among women.<sup>609</sup> Overcrowded classrooms, insufficient number of qualified

<sup>596</sup> Istepanian R., Mapping Iraq's Post-2003 Health Crisis: Two Decades of Retrogression and Kleptocracy, 31 January 2024, CFRI, [url](#); The National, Iraq's Fragmented Healthcare System 'at the Heart of the Struggle to Overcome War', 2 December 2022, [url](#); UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 40, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 80 footnote 581

<sup>597</sup> Mansour R., Moving Medicine in Iraq: Networks Fuelling Everyday Conflict, Chatham House, 29 November 2022, [url](#); MSF, MSF Halts Key Medical Activities in Mosul Due to Administrative Obstacles, 5 July 2023, [url](#); KAS, Under Fire: How Corruption Erodes Healthcare in Iraq, December 2021, [url](#), p. 9

<sup>598</sup> Qamar K., et al., Rise of Cholera in Iraq: A Rising Concern, in: Annals of Medicine and Surgery, Vol. 81 (2022), September 2022, [url](#), p. 2

<sup>599</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 41, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 80 footnote 586; The National, Staff Shortages Threaten Iraq's Health Sector amid Third Covid-19 Wave, 2 February 2022, [url](#)

<sup>600</sup> MSF, Iraq Activity Report 2022, 13 April 2023, [url](#), p. 13; UNFPA, Iraq: Reproductive and Maternal Health, accessed 14 March 2024, [url](#)

<sup>601</sup> UN Iraq, Iraq Common Country Analysis 2021, 26 April 2022, [url](#), p. 72

<sup>602</sup> NRC, The Unmet Needs of Iraqi's Children in Informal Settlements, September 2022, [url](#), pp. 17-19

<sup>603</sup> REACH, Missing Civil Documentation in Iraq: Who, Why & How Important is it? February 2023, [url](#), p. 12

<sup>604</sup> Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 8; Sulaiman H. M., et al., Health System Performance, Mitigation, and Imperative Reform Approaches in the Kurdistan Region of Iraq, Vol. 17 Issue 1, 2023, [url](#), pp. 91-93

<sup>605</sup> Sulaiman H. M., et al., Health System Performance, Mitigation, and Imperative Reform Approaches in the Kurdistan Region of Iraq, Vol. 17 Issue 1, 2023, [url](#), pp. 91-93

<sup>606</sup> Rudaw, Patients, Students, Civil Servants Lose in Erbil, Baghdad Money Row, 17 September 2023, [url](#); Arab News, AFP, Iraqi Kurds Protest Unpaid Salaries from Baghdad, 5 September 2023, [url](#); New Arab, Iraqi Kurdistan Doctors, Teachers, and Garbage Collectors Go on Strike over Unpaid Salaries, 7 March 2022, [url](#)

<sup>607</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, pp. 10, 24, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 83 footnote 610; UNICEF, Iraq: Country Office Annual Report 2022, 7 March 2023, [url](#), p. 2

<sup>608</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 24, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 83, footnote 611; Shafaq News, Illiteracy Rate in Iraq Drops to 12.3%: Official, 4 December 2023, [url](#)

<sup>609</sup> UNFPA, Iraqi Women Integrated Social and Health Survey: Summary of Key Findings, June 2022, [url](#), p. 5



teachers, damaged school facilities are among the main issues affecting the education system in Iraq. Many schools have to operate on a shift system (with two or three shifts) to accommodate students, impacting the quality of education.<sup>610</sup>

Despite being one of the world's largest oil producers,<sup>611</sup> Iraq struggles with shortages in fuel supply.<sup>612</sup> Due to conflict and lack of maintenance and investment, Iraq's electricity system has been damaged<sup>613</sup> and power outages across the country occur frequently,<sup>614</sup> especially during the summer.<sup>615</sup> Power cuts have often triggered protests, especially in the poorer southern governorates.<sup>616</sup>

Iraq suffers from a housing supply shortage.<sup>617</sup> In 2020, it was estimated that 12.9 % of the population (over 3 million people) lived in informal settlements.<sup>618</sup> The presence of over 252 500 Syrian refugees in the KRI has contributed to further pressure on public services and infrastructure.<sup>619</sup> As of December 2023, the IDP population in Iraq stood at over 1,14 million. Most IDPs are situated in Erbil governorate (19 %), followed by Dohuk governorate (12 %), Ninewa and Sulaymaniyah districts (8 %).<sup>620</sup> Sources noted that damaged homes along with lack of livelihoods and basic services continue to represent barriers to the sustainable return of the remaining IDPs.<sup>621</sup>

Dirty and unsafe water is a major health threat at country level,<sup>622</sup> with 90% of Iraq's rivers said to be polluted, and 7 million people currently facing reduced access to water.<sup>623</sup> Iraq is projected as the world's fifth most vulnerable country to climate change. In the past two decades, Iraq has faced some of the worst drought conditions in its history.<sup>624</sup> In southern Iraq, in particular, communities have increasingly experienced water shortages, affecting access to services and causing displacement. The climate crisis and the ongoing water shortage<sup>625</sup> are

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<sup>610</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 45, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 84, footnote 615

<sup>611</sup> World Bank, Iraq Economic Monitor, Spring/Summer 2023, 31 July 2023, [url](#), pp. ix-x

<sup>612</sup> GI-TOC, Smuggling, subsidies and shortages: Iraq's latest oil troubles, 10 February 2023, [url](#)

<sup>613</sup> UN Iraq, Iraq Common Country Analysis 2021, 26 April 2022, [url](#), p. 50

<sup>614</sup> AGSIW, Urgent Reforms Needed to Unlock Iraq's Green Potential, 14 November 2023, [url](#)

<sup>615</sup> CSIS, Powering Recovery, March 2023, [url](#), p. 15

<sup>616</sup> Near East Policy Forum, Solar Solutions to Power Outages in Energy-Rich Iraq, 2 March 2023, [url](#)

<sup>617</sup> IRIS, Iraq, Economic Review, Vol. 2 (3), October 2022, [url](#), pp. 10-11; Zawya, Iraq Has 3 Million House Supply Shortage, 20 September 2023, [url](#); Zawya, Iraq Needs 4m In New Houses: Official, 15 August 2023, [url](#); Shafaq, Real Estate in Iraq: Greedy Officials, Corrupt Investors, and Homeless Citizens, 3 February 2023, [url](#)

<sup>618</sup> UN Habitat, Informal Settlements in the Arab Region, February 2020, [url](#), p. 36

<sup>619</sup> UNHCR, Iraq Factsheet: August 2023, 13 September 2023, [url](#), p. 2; UNHCR, Syria Regional Refugee Response: Iraq, updated 31 December 2023, [url](#)

<sup>620</sup> UNCHR/DTM, Iraq - Population Profile - Breakdown Overview - IDPs and Returnees, 29 January 2024, [url](#)

<sup>621</sup> IOM, No Way Home: An Assessment of Barriers to Sustainable Return and Reintegration in Locations of No Return, 19 June 2022, [url](#), p. 5; UNICEF, Humanitarian Action for Children 2024: Iraq, 12 December 2023, [url](#), p. 2

<sup>622</sup> France24/AFP, Rampant water pollution threatens Iraq's shrinking rivers, 21 February 2024, [url](#)

<sup>623</sup> UNAMI, Special Representative of the Secretary-General for Iraq Ms. Jeanine Hennis-Plasschaert, 18 May 2023, available at [url](#)

<sup>624</sup> USAID, Sustainable Solutions to Combat Climate Change in Iraq, 12 March 2023, [url](#); World Bank, Iraq - Country Climate and Development Report, November 2022, [url](#), p. x

<sup>625</sup> UNICEF, 2024 Humanitarian Action for Children, 12 December 2023, [url](#), p. 2



considered among the most serious challenges faced by the country,<sup>626</sup> impacting the agriculture sector,<sup>627</sup> the general livelihood,<sup>628</sup> triggering migration to urban areas,<sup>629</sup> as well as creating conditions for further inequalities and civil unrest.<sup>630</sup>

Certain groups within the Iraqi society, including IDPs, returnees, women and girls (especially female-headed households),<sup>631</sup> children,<sup>632</sup> elderly people,<sup>633</sup> persons with disabilities,<sup>634</sup> and other marginalised groups remain particularly vulnerable and often socio-economically disadvantaged.<sup>635</sup> Individuals who do not hold identity or civil documentation face restrictions in freedom of movement, in accessing basic services and social security benefits, and are at higher risk of being arbitrarily arrested.<sup>636</sup> Individuals with perceived affiliation to ISIL also face additional administrative and security barriers to accessing civil documentation.<sup>637</sup> See also ([1.1.3 Individuals with \(perceived\) affiliation to ISIL](#) and [1.4 Children](#)).

## 2.1.2. Entry, residency requirements and access to civil documentation and services

As noted by UNHCR, the legal framework for entry and residency requirements in Iraq is complex and regulated by legal pluralism. Additionally, regulations are not always implemented, and practices vary depending on locations and implementing authorities. Generally, sponsorship and other security clearance requirements are not regulated by law nor are they officially announced.<sup>638</sup>

<sup>626</sup> SIPRI, Iraq in 2023: Challenges and Prospects for Peace and Human Security, 17 March 2023, [url](#); Varoujan K., et al., The Impact of Water Scarcity on Food Security in Iraq, Journal of Civil Engineering and Architecture 17, 2023, [url](#), pp. 442-443; World Bank, Iraq - Country Climate and Development Report, November 2022, [url](#), p. X-XII; SIDA, Multidimensional Poverty Analysis Iraq 2022, April 2022, [url](#), p. 4

<sup>627</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 22, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 66, footnote 477

<sup>628</sup> IOM, Iraq Crisis Response Plan 2024, last updated 30 January 2024, [url](#); USAID, Sustainable Solutions to Combat Climate Change in Iraq, 12 March 2023, [url](#)

<sup>629</sup> Shafaq, Iraq's agricultural landscape: Overcoming challenges amid water scarcity, 31 January 2024, [url](#)

<sup>630</sup> World Bank, Iraq - Country Climate and Development Report, November 2022, [url](#), p. X-XII

<sup>631</sup> UN OCHA, Iraq Humanitarian Transition Overview 2023, 27 February 2023, [url](#), p. 9; DRC, Women, Displacement and Durable Solutions in Iraq, 8 March 2023, [url](#)

<sup>632</sup> UNICEF, 2024 Humanitarian Action for Children, 12 December 2023, [url](#), p. 2; UNICEF / International Labour Organization (ILO), On this World Day Against Child Labour, ILO and UNICEF Call for Joint Work among all Stakeholders to Create a Protective and Inclusive Environment for Children in Iraq, 12 June 2022, [url](#)

<sup>633</sup> Dorcas, Falling Through the Cracks: Older People in Conflict Situations, June 2022, [url](#), pp. 15-16

<sup>634</sup> UN Iraq, Statement of the United Nations Resident Coordinator on the International Day of Persons with Disabilities, 3 December 2023, [url](#)

<sup>635</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 59, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), 70, footnote 494

<sup>636</sup> UNHCR, Iraq Factsheet: August 2023, 13 September 2023, [url](#), p. 3; UN OCHA, Iraq Humanitarian Transition Overview 2023, 27 February 2023, [url](#), p. 9; DRC, Life in the Margins, September 2022, [url](#), p. 14

<sup>637</sup> Geneva Graduate Institute, Legal Documentation for Persons Living under the Control of Non-State Armed Groups: Humanitarian Needs and Responses, 2 December 2022, [url](#), p. 24; UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 8-9

<sup>638</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 2; UNHCR, email communication with EUAA, 8 May 2024





In order to pass checkpoints and be admitted to the area they intend to enter, individuals are required to hold valid civil documentation (i.e. Civil Status ID card/Unified ID card, nationality certificate, or passport<sup>639</sup>). Security screenings in the country remain in place at governorate, district, and city entrance checkpoints.<sup>640</sup> The risk of being arbitrarily detained and arrested at checkpoints increases for people who do not hold such documentation.<sup>641</sup> UNHCR informed that most governorates / districts in Federal Iraq and the KRI do not impose entry requirements.. However, a sponsor is still required to enter Nasiriyah City (Thi-Qar); Haditha, Al-Qaim and Heet (Anbar); Al-Daur, Samarra and Balad (Salah Al-Din), Al-Saadiyah Sub-District, northern Muqdadiah District and villages located in the north of Al-Udhim Sub-District (Diyala) and in ethnically mixed areas of Ninewa, including Tal Afar, Hamdaniyah and Sinjar Districts. The sponsorship requirement in practice means that the individuals need to know someone in the area they intend to enter, who is a resident of that area (i.e., the sponsor needs to have a Housing Card issued in the area) and who is willing to guarantee that the individual does not pose a security risk.<sup>642</sup>

For individuals to obtain residency in a certain area, valid documents (Civil Status ID card/Unified ID card, nationality certificate) are required.<sup>643</sup> Furthermore, a sponsor holding a Housing Card from the area where the individuals are seeking to legally take up temporary residency is required in some governorates and cities. These are: Diyala; Dohuk; Haditha and Heet Districts and Rawa Sub-District (Anbar), and all of the southern governorates. In Baghdad and in Al-Qaim District (Anbar), two sponsors are required.<sup>644</sup> Further, the individuals – regardless of their profile or origin – need approval from the security actors of the area where they are to relocate, normally from the Ministry of Interior Intelligence Department in Federal Iraq and the *Asayish* in the KRI.<sup>645</sup>

UNHCR stressed the fact that, while Iraqis can temporarily regularise their stay by registering with the local authorities and security actors, only the Housing Card, transferred to or issued in the location where they are to stay, allows the individual or family to permanently settle and

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<sup>639</sup> As reported by UNHCR: Key documentation includes: Civil Status ID card (CSID); Nationality Certificate; Unified ID card (UNID, substituting both the CSID and the nationality certificate); birth certificate; and Public Distribution System (PDS) card for food assistance. A combination of these documents is required to access basic services and exercise fundamental human rights. Often one document is a prerequisite for issuing or renewing the other documents. Normally, civil documentation has to be issued in the place of origin, i.e. in the area in which an individual's CSID or UNID has been issued. The requirement of in-person presence in the area of origin is partly addressed through ad hoc mobile missions undertaken by the Ministry of Interior and Civil Affairs Directorates to reach IDPs in camps and some informal sites/urban areas. UNHCR, email communication with EUAA, 8 May 2024; For information on the various types of Iraqi official documents and procedures on how to access them see also Simaet Bhatha, Iraqi Official Identification Documents: What are they and how do I get them?, last updated 15 March 2023, [url](#)

<sup>640</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 4

<sup>641</sup> DRC, Life in the Margins, September 2022, [url](#), p. 14; UNOCHA, 2022 Humanitarian Needs Overview: Iraq, March 2022, [url](#), p. 28

<sup>642</sup> UNHCR, email communication with EUAA, 8 May 2024

<sup>643</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 6; UNHCR, email communication with EUAA, 8 May 2024

<sup>644</sup> UNHCR, email communication with EUAA, 8 May 2024

<sup>645</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 12; UNHCR, email communication with EUAA, 8 May 2024





access the full range of rights and basic services,<sup>646</sup> such as health, education, food rations through the PDS, obtaining/renewing civil documentation, exercising the right to vote, accessing employment, entering formal rent agreements and buying property.<sup>647</sup>

The Housing Card (or Residence Card, in Arabic: *bitaqa al-sakan*) is an official document used in both Federal Iraq and in the KRI that certifies an individual's place of domicile or residency. The Housing Card shows the address where the head of household rents or owns a residence.<sup>648</sup> Individuals or head of households who intend to transfer their Housing Card to a new location or to obtain the issuance of a new Housing Card need to meet a set of administrative and documentary requirements, in accordance with Ministry of Interior Instructions on the Housing Card (2018). In practice, the implementation of these instructions can vary.<sup>649</sup> As reported by UNHCR, such requirements are the following:

'a) Requirements for the transfer of the Housing Card to the new location

- Approval from the Housing Information Office in the former place of residency to transfer the individual's records to the new place of residency and deactivate the Housing Card in the former place of residency. This approval is not granted if there is an ongoing investigation or an arrest warrant against the individual or any family member;
- An application form signed and stamped by the *mukhtar* (or local council or mayor) in the new place of residency; and
- The approval from the concerned security actor/s in the new location, normally the Ministry of Interior Intelligence Department (Federal Iraq) or the *Asayish* (KR-I), respectively.

b) Requirements for the first-time issuance of the Housing Card in the new location

- Proof of residency or support letter from the *mukhtar* (or the local council or mayor) in charge of the neighbourhood in which the head of household seeks to reside. In Diyala and the Southern governorates, this proof of residency or support letter needs to be signed by one sponsor and in Baghdad by two sponsors, and certified by the mayor's office. In Dohuk and Sulaymaniyah Governorate, endorsement of the mayor's office is also required. In Kirkuk, there is no need for a sponsor, but instead a letter confirming that the head of household is no longer resident in the former place of residency needs to be obtained from the mukhtar or local council and endorsed by the local police in the former place of residency; and

<sup>646</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 6-7; UNHCR, email communication with EUAA, 8 May 2024

<sup>647</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 7; UNHCR, email communication with EUAA, 8 May 2024

<sup>648</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 1, footnote 3; DRC, Life in the Margins, September 2022, [url](#), p. 12; UNHCR, email communication with EUAA, 8 May 2024

<sup>649</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 7; UNHCR, email communication with EUAA, 8 May 2024



- Approval from the concerned security actor(s) in the new location, normally the Ministry of Interior Intelligence Department (Federal Iraq) or the *Asayish* (KR-I), respectively.

c) Documents required for the transfer/issuance of the Housing Card

- Original CSID and nationality certificate or UNID for all family members;
- Approval letter from the local police department;
- Original Housing Card or, in case of first-time issuance, copy of the Housing Card in which the individual's name was included (e.g., father's Housing Card);
- Marriage contract in case of first-time issuance;
- A rental contract or house ownership deed from the new location; and
- At times, other documents such as the PDS card are also required.<sup>650</sup>

Once all requirements are met, the Housing Card will be transferred or issued within 10 to 14 days. However, the process might take longer for some individuals who can be subjected to additional scrutiny checks. These include single men, especially Sunni Arabs and Sunni Turkmen from formerly ISIL-held or conflict-affected areas.<sup>651</sup>

There are several obstacles that can prevent individuals from obtaining the Housing Card in the location where they intend/are to reside. These include:

- lack of documentation and inability to renew or replace it (reissuing lost or expired identity documents or transferring the Housing Card itself generally requires that the individual returns to their place of origin; some individual may not be able to return to their area of origin, including for fear of being targeted or for lack of documentation needed to pass checkpoints);
- difficulties in obtaining security clearance (for instance for individuals who are on a wanted list on ground of affiliation to ISIL, as well as for individuals who are perceived to have ISIL affiliation based on similar surnames with people on wanted list);<sup>652</sup>
- family composition: single men and women normally are included in their father's Housing Card and cannot obtain the Housing Card in their name in the new location;
- political reasons related to the status of the disputed territories and to demographics. For instance, in Kirkuk City, the transfer of the Housing Card is generally not permitted because of the city's disputed status. Also, in the KRI, people with certain profiles or originating from certain areas are not allowed to transfer their Housing Card or to obtain a new Housing Card (these include, in Erbil and Dohuk: Arabs, Turkmen and members of ethnic/religious minority groups from areas outside the KRI; in

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<sup>650</sup> UNHCR, *Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation*, November 2022, [url](#), pp. 7-8; UNHCR, email communication with EUAA, 8 May 2024

<sup>651</sup> UNHCR, *Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation*, November 2022, [url](#), p. 8; UNHCR, email communication with EUAA, 8 May 2024

<sup>652</sup> UNHCR, *Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation*, November 2022, [url](#), pp. 8-9; UNHCR, email communication with EUAA, 8 May 2024





Sulaymaniyah: single Arab and Turkmen men and women,<sup>653</sup> also Kurds and Yazidis originating from the disputed territories).<sup>654</sup>

## 2.2. Baghdad

### 2.2.1. Entry, residency requirements and access to civil documentation and services

Baghdad does not impose sponsorship requirements for entering the governorate.<sup>655</sup>

Residency requirements are in place for individuals who do not originate from Baghdad governorate, regardless of their ethno-religious profile. Such requirements are the following:

- Two sponsors from the neighbourhood where the individuals intend to reside.
- A support letter from the *mukhtar* (or the local council or mayor).
- The individuals need to be accompanied to the *mukhtar* by the two sponsors. The support letter by the *mukhtar* does not need to be renewed nor does it need to specify period of validity. Costs for the issuance of such letter vary between 2 000 and 5 000 circa Iraqi Dinars, depending on the *mukhtar*.
- Security clearance from the security actors.<sup>656</sup>

Individuals who meet all these requirements are generally able to regularise their residency in Baghdad, to rent an apartment, to access employment, public and private hospitals (however, they cannot access public healthcare centres in their neighbourhood) as well as tertiary education.<sup>657</sup>

For individuals to be able to access the full range of rights and basic services, they are required to either transfer from the previous location or obtain a new Housing Card to the new location where they are to reside in Baghdad, (on requirements and procedure to obtain the Housing Card (see [2.1.2 Entry, residency requirements and access to civil documentation and services](#)). The Housing Card gives individuals full access to services, including primary healthcare provided by public healthcare centres in their neighbourhood and access to primary and secondary education. Furthermore, they can transfer their civil status records to Baghdad and subsequently obtain/renew the Civil Status ID Card/Unified ID Card in the new place of residency.<sup>658</sup>

<sup>653</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 8-9; UNHCR, email communication with EUAA, 8 May 2024

<sup>654</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 13; UNHCR, email communication with EUAA, 8 May 2024

<sup>655</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 44; UNHCR, email communication with EUAA, 8 May 2024

<sup>656</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 4, 84; UNHCR, email communication with EUAA, 8 May 2024

<sup>657</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 104; UNHCR, email communication with EUAA, 8 May 2024

<sup>658</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 104; UNHCR, email communication with EUAA, 8 May 2024



## 2.2.2. Economy

Baghdad, the capital of the country and capital of Baghdad governorate,<sup>659</sup> is a densely populated city, with a population projected at approximately 9 million in 2022.<sup>660</sup> The majority of the population is composed of Sunni and Shia Arabs; other ethno-religious groups include Christians, Sunni and Shia Kurds, Sunni and Shia Turkmen. The city's displaced population is composed mainly of Sunni Arabs.<sup>661</sup> Baghdad is one of the wealthiest and most economically diverse areas of the country, with oil refining representing its main economic activity.<sup>662</sup> Baghdad is also the centre of commerce, banking and finance,<sup>663</sup> as well as a manufacturing hub, with economic activities including production of textiles, cement, leather, carpets and tobacco products.<sup>664</sup> Various military industries are also located in Baghdad.<sup>665</sup> With its international airport, the capital serves as an important trading centre in the region. Furthermore, the city attracts more than one million tourists each year.<sup>666</sup> After the sharp recession caused by the COVID-19 pandemic in 2020, Iraq's economy rapidly recovered in 2022 thanks to increase in oil-selling, resulting in accelerated GDP growth.<sup>667</sup> Baghdad city's development is described as reviving.<sup>668</sup> Government investments have been directed at improving water and electricity services in some neighbourhoods, constructing bridges and redesigning street.<sup>669</sup> A boom in real estate<sup>670</sup> is unfolding in the city, which, however, is reported to be fuelled by corruption and money laundering.<sup>671</sup>

## 2.2.3. Employment

In Baghdad governorate, the unemployment rate was at 13.5 %, <sup>672</sup> while youth unemployment rate stood at 15 %. <sup>673</sup> Youth not in education, employment or training (NEET) in Baghdad was at 17.5 % for men and 48.1 % for women. <sup>674</sup>

<sup>659</sup> Bahry L. & Marr P., A.. Baghdad, Encyclopedia Britannica, 10 February 2024, [url](#)

<sup>660</sup> Iraq, CSO, *المجموعة الإحصائية 2022-2023 الباب الثاني* [Statistical Collection 2022-2023, Part Two], 21 August 2023, [url](#), p. 8

<sup>661</sup> IOM, Cities as Home: Location Factsheets and Case Studies of Local Integration, 6 January 2021, [url](#), p. 39

<sup>662</sup> Jiyad, S. et al., Economic Drivers of Youth Political Discontent in Iraq: The Voice of Young People in Kurdistan, Baghdad, Basra and Thi-Qar, February 2021, [url](#), p.26

<sup>663</sup> NCCI, Baghdad Governorate Profile, updated December 2015, [url](#), p. 2

<sup>664</sup> Jiyad, S., et al., Economic Drivers of Youth Political Discontent in Iraq: The Voice of Young People in Kurdistan, Baghdad, Basra and Thi-Qar, February 2021, [url](#), p. 26; Rawabet Center for Research and Strategic Studies, Economy of the largest cities of Iraq "Baghdad", 4 October 2018, [url](#)

<sup>665</sup> Jiyad, S., et al., Economic Drivers of Youth Political Discontent in Iraq: The Voice of Young People in Kurdistan, Baghdad, Basra and Thi-Qar, February 2021, [url](#), p.26

<sup>666</sup> Rawabet Center for Research and Strategic Studies, Economy of the largest cities of Iraq "Baghdad", 4 October 2018, [url](#)

<sup>667</sup> World Bank, Iraq Economic Monitor, Spring/Summer 2023, 31 July 2023, [url](#), pp. ix-x, 1; IMF, Iraq: 2022 Article IV Consultation-Press Release; and Staff Report, 3 February 2023, [url](#), p. 5

<sup>668</sup> Economist, After 20 years of trauma, Iraq is struggling to recover, 23 March 2023, [url](#); Al Monitor, 'Fertile ground': Baghdad sees timid revival with investment drive, 26 September 2023, [url](#)

<sup>669</sup> Asharq Al-Awsat, 'Fertile Ground': Baghdad Sees Timid Revival with Investment Drive, 27 September 2023, [url](#); Reuters, Baghdad gets make-over as repairs kindle guarded optimism, 16 May 2023, [url](#)

<sup>670</sup> Reuters, Baghdad's historic homes crumble as real estate booms, 7 October 2022, [url](#)

<sup>671</sup> Washington Post, A building boom fueled by corruption is changing the face of Baghdad, 29 June 2023, [url](#)

<sup>672</sup> ILO/CSO/KRSO, Iraqi Labour Force Survey 2021, 5 July 2022, [url](#), pp. 6, 15

<sup>673</sup> Iraq, MoP, The Second National Voluntary Review Report on the Achievement of the Sustainable Development Goals, July 2021, [url](#), p. 96

<sup>674</sup> ILO/CSO/KRSO, Iraqi Labour Force Survey 2021, 5 July 2022, [url](#), p. 55



The public sector remains the dominant employer across the country.<sup>675</sup> Efforts have recently been made by the Iraqi government to reform the private sector,<sup>676</sup> which still remains underdeveloped,<sup>677</sup> lacking social protection<sup>678</sup> and largely informal.<sup>679</sup> Nepotism<sup>680</sup> and favouritism along family, tribal and political lines dominates recruitment in both the public and the private sector.<sup>681</sup> Employment opportunities for young people are limited,<sup>682</sup> including for university graduates in Baghdad who struggle to find jobs.<sup>683</sup> Unemployment and delay in payment of public sector salaries were among the main reasons for a series of protests that erupted in various cities, including in Baghdad, between 2019 and 2021.<sup>684</sup>

## 2.2.4. Poverty

Data on poverty indicators in Iraq are largely outdated.<sup>685</sup> The latest survey data publicly available for Iraq's Multidimensional Poverty Index (MPI) refer to 2018. Based on these estimates, 8.6 % of the population in Iraq is described as multidimensionally poor while an additional 5.2 % is classified as vulnerable to multidimensional poverty. The intensity of deprivations in Iraq, which is the average deprivation score among people living in multidimensional poverty, is 37.9 %.<sup>686</sup> According to poverty rates estimates conducted by the Central Statistics Organisation (CSO) and cited by the UN, in 2021, 29.6 % of the Iraqi population was under the poverty line, with rates higher in the southern governorates.<sup>687</sup> Based on data by the Ministry of Planning and cited by media outlets, poverty headcounts rates in 2021 varied significantly among governorates, with Baghdad and Kurdistan region ranging between 12.5 % and 13 %, while some southern governorates reaching 50 %.<sup>688</sup>

Baghdad is the governorate where the highest number of slums and informal settlements are concentrated.<sup>689</sup> Sadr City, a suburb of Baghdad, has been the city's poorest neighbourhood

<sup>675</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 54, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 70, footnote 497; World Bank, Iraq Economic Monitor, Spring/Summer 2023, 31 July 2023, [url](#), p. x

<sup>676</sup> ILO, Iraq Invests in Building a Social Security System that Protects Workers, 17 May 2023, [url](#); Equal Times, A new era of opportunity is opening up in Iraq with the development of the private sector and the creation of start-ups, 15 October 2023, [url](#); Amwaj.media, Despite Criticism, Iraq's PM Pursues Expansion of Public Sector, 17 January 2023, [url](#); World Bank, Iraq Economic Monitor, Fall 2022, 17 November 2022, [url](#), p. 14

<sup>677</sup> Prospect, Iraq: The Fallout, 1 March 2023, [url](#); AP, Corruption, Deep Disparity Mark Iraq's Oil Legacy post-2003, 24 March 2023, [url](#)

<sup>678</sup> World Bank, Iraq Country Climate and Development Report, 9 November 2022, [url](#), p. 45

<sup>679</sup> World Bank, Iraq Economic Monitor, Spring/Summer 2023, 31 July 2023, [url](#), pp. x, 3.

<sup>680</sup> UNPD, Community-Based Reconciliation & Reintegration in Iraq, 28 June 2022, [url](#), pp. 31-32; AP, Corruption, Deep Disparity Mark Iraq's Oil Legacy post-2003, 24 March 2023, [url](#); Prospect, Iraq: The Fallout, 1 March 2023, [url](#)

<sup>681</sup> RFI/AFP, Iraq's Young Covet Govt Jobs in Headache for Economy, 2 October 2022, [url](#)

<sup>682</sup> Musings on Iraq, Iraq's Youth Hit Hardest by Unemployment and Poverty, 22 January 2024, [url](#); ILO, Cost of Inaction: Education Deprivation in Iraq and the Potential of Social Protection to Reverse it, 7 March 2023, [url](#) p. 7; World Bank, Iraq Economic Monitor, Fall 2022, 17 November 2022, [url](#), pp. 3, 14

<sup>683</sup> Xinhua, Feature: Young Iraqis struggle to find jobs amid continued chaos, conflicts, 29 June 2023, [url](#)

<sup>684</sup> AI, Report 2020/21: The State of the World's Human Rights, 7 April 2021, [url](#), p. 196; Chatham House, Networks of power: The Popular Mobilization Forces and the State in Iraq, February 2021, [url](#), p.14; MEMO, Thousands of Iraqis protest government employment policy, 1 February 2021, [url](#); Jiyad, S. et al., Economic Drivers of Youth Political Discontent in Iraq: The Voice of Young People in Kurdistan, Baghdad, Basra and Thi-Qar, February 2021, [url](#), p. 56; AP, Bloated public salaries at heart of Iraq's economic woes, 23 October 2020, [url](#)

<sup>685</sup> SIDA, Multidimensional Poverty Analysis Iraq 2022, April 2022, [url](#), p. 3

<sup>686</sup> UNPD, Multidimensional Poverty Index 2023 Iraq, [url](#), p. 2

<sup>687</sup> UN, Iraq Common Country Analysis, 2022, 27 July 2022, [url](#), pp. 28-29

<sup>688</sup> Shafaq, Abject poverty inflicts less than 2% of the total poverty headcounts, official says, 27 April 2021, [url](#)

<sup>689</sup> INA, MOP: Baghdad as the first place in slums, 22 December 2021, [url](#)





for decades.<sup>690</sup> Since the US-led 2003 invasion, its population is reported to have tripled, with the arrival of displaced people from other governorates.<sup>691</sup> Economic opportunities in this neighbourhood are reported as non-existent, with unemployment and poverty rampant throughout the area.<sup>692</sup>

Along with Sadr City, other districts described as ‘poorer’ as well as a ‘concentration of economically disadvantaged Shia population in eastern and southern Baghdad’ are Al-Shu‘ala, Al-Hurriya and Al-Za‘faraniya.<sup>693</sup>

Since PMF members often act as middlemen with government or private entities, particularly people in poorer areas in eastern and southern Baghdad and the youth resort to relying on or joining PMF groups – the dominant factions there being the Peace Brigades and the Asaib Ahl Al-Haq (AAH). Poverty and structural inequality create dependence of Baghdad’s poorer neighbourhoods’ residents upon Peace Brigaded and AAH for access to public and/or private services, jobs, bureaucratic approval,<sup>694</sup> as well as aid support.<sup>695</sup> See [1.4.4 Child exploitation and child marriage](#).

### 2.2.5. Food security

As of 1 August 2023, Baghdad was characterised as 4<sup>th</sup> top governorate with the highest prevalence of insufficient food consumption, affecting a total of 326 000 people.<sup>696</sup> Based on latest available public data, the price of the food basket<sup>697</sup> in Baghdad increased by 36 % in late December 2020.<sup>698</sup> It was also Baghdad where the highest variation in price was observed between January and April 2021.<sup>699</sup> Increase in prices across the whole country had an impact in the food security at household level,<sup>700</sup> leading to increased food insecurity.<sup>701</sup> Rise in food prices was among the main reasons for a wave of protests in cities across Iraq in 2022, including in Baghdad.<sup>702</sup>

<sup>690</sup> Vice, The Iraqi war is 20 years old. So are these young Iraqis, 20 March 2023, [url](#)

<sup>691</sup> Guardian, Guns, cash, and frozen chicken: the militia boss doling out aid in Baghdad, 20 March 2023, [url](#)

<sup>692</sup> Washington Institute, Addressing Iraq’s Environmental Challenges: Population Growth, 17 October 2023, [url](#)

<sup>693</sup> Skelton, M. and Saleem, Z. A., Living Among the Hashd: Relations Between Citizens and Security Actors in Five Iraqi Provinces, IRIS, July 2021, [url](#), pp. 11, 14

<sup>694</sup> Skelton, M. and Saleem, Z. A., Living Among the Hashd: Relations Between Citizens and Security Actors in Five Iraqi Provinces, IRIS, July 2021, [url](#), pp. 5, 8, 11, 32-33; Chatham House, Networks of power – The Popular Mobilization Forces and the state in Iraq, February 2021, [url](#), p. 15

<sup>695</sup> Guardian, Guns, cash, and frozen chicken: the militia boss doling out aid in Baghdad, 20 March 2023, [url](#)

<sup>696</sup> WFP, Hunger Map Live: Iraq insight and key trends, 1 August 2023, [url](#), p. 3

<sup>697</sup> For more information on the composition of the Food Basket see WFP, Iraqi Dinar Devaluation and the Price of the Food Basket, 3 March 2021, [url](#), p. 3

<sup>698</sup> FAO et al., Iraq Covid-19 Food Security Monitor - Bi-weekly Update, Issue 25, 5 January 2021, [url](#), p. 2

<sup>699</sup> FAO et al., Food Security in Iraq: Impact of COVID-19, with a Special Section on Water Shortages and Adaptation, 3 October 2021, [url](#), p. 28

<sup>700</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 23, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 75, footnote 535

<sup>701</sup> WFP, Iraq Annual Country Report 2022, 11 April 2023, [url](#), pp. 3, 7; World Bank, Iraq Economic Monitor, Fall 2022, 17 November 2022, [url](#), pp. 9, 13; IOM, Migration, Environment, and Climate Change in Iraq, 11 August 2022, [url](#), p. 10

<sup>702</sup> Amwaj.media, Tension simmers on Iraqi street as food prices rise, 3 June 2022, [url](#)





## 2.2.6. Healthcare

As of 2021, Baghdad has the highest concentration of hospitals and secondary care centres of the country.<sup>703</sup> Data by the Health Ministry in 2020 showed that Baghdad disposed of the nationwide highest bed availability in public hospitals (1.6 beds per 1 000 people) with a total number of 13 628 beds, of which 10 729 were general hospital beds and the remainder being labelled as ‘emergency beds’. Baghdad’s private hospitals offered an additional 2 342 general hospital beds.<sup>704</sup> In 2023, the government announced to have accelerated the construction plans of additional three hospitals in the capital Baghdad, in particular in the densely populated districts of Al-Fadhiliya, Al-Hurriya, and Al-Shaab.<sup>705</sup> The construction works were not completed at the time of drafting.<sup>706</sup> (For information on the situation of healthcare at national level see [Socio-economic situation](#))

## 2.2.7. Education

Six years of schooling between ages six and twelve are compulsory for children in Baghdad, as in the rest of Federal Iraq.<sup>707</sup> School completion rates in Baghdad governorate were 73 % for primary school, 44 % for lower secondary school and 32 % for upper secondary school. Out of school rates stood at 8 % for primary education level, 20 % for lower secondary and 46 % for upper secondary level.<sup>708</sup> With 48 % of the country’s universities or colleges and 53 % of scientific departments, Baghdad hosts the highest share of tertiary educational institutions among all governorates.<sup>709</sup> During April 2020, 64 % of children aged 5-17 in four IDP camps in Baghdad governorate surveyed by Mercy Hands for Humanitarian Aid reportedly did not receive any kind of schooling. Their illiteracy rate was reported as 12 %.<sup>710</sup> For more information on access to education for children at country level see [1.4 Children](#).

## 2.2.8. Housing and living conditions

The housing shortage in the country<sup>711</sup> disproportionately affects middle and low-income Iraqis.<sup>712</sup> The high demand is also pushing the prices up making rents and real estate prices

<sup>703</sup> Istepanian, R. S. H., Mapping Iraq’s Post-2003 Health Crisis: Two Decades of Retrogression and Kleptocracy, Centre Français de recherche sur l’Irak (CFRI), 31 January 2024, [url](#)

<sup>704</sup> Iraq, Ministry of Health and Environment, Annual Statistical Report 2020, 2021, [url](#), pp. 141, 143

<sup>705</sup> BNN, Accelerating Hospital Construction in Baghdad: A Step Towards Enhanced Healthcare Infrastructure, 25 September 2023, [url](#)

<sup>706</sup> Iraq, Ministry of Planning, The Ministry of Planning announced the progress of the completion stages of Al-Hurriya Hospital in Baghdad, at a rate of 54%, and its opening at the end of next year, 22 March 2023, [url](#)

<sup>707</sup> IRFAD, Iraq Education, n.d., accessed 14 March 2024, [url](#)

<sup>708</sup> UNICEF, Iraq Education Fact Sheet 2020 – Analyses for learning and equity using MICS data, 2020, [url](#), pp. 9, 15; UNICEF, How to improve financing of the education sector in Iraq, 30 January 2024, [url](#) p. 1

<sup>709</sup> Iraq, MoP, National Development Plan 2018-2022, June 2018, [url](#), p. 197

<sup>710</sup> Mercy Hands for Humanitarian Aid, Health and Educational Status of Iraqi Children in IDP Camps During COVID-19: An Assessment of Children in IDP Camps in Salah Al Din, Anbar, Ninewa, and Baghdad Governorates of Iraq, May 2020, [url](#), pp. 3-4, 9

<sup>711</sup> Zawya, Iraq Has 3 Million House Supply Shortage, 20 September 2023, [url](#); Institute of Regional and International Studies (IRIS), Iraq, Economic Review, Vol. 2 (3), October 2022, [url](#), pp. 10-12

<sup>712</sup> UN Iraq, Iraq Common Country Analysis 2021, 26 April 2022, [url](#), p. 46; Institute of Regional and International Studies (IRIS), Iraq, Economic Review, Vol. 2 (3), October 2022, [url](#), p. 10



unaffordable for most Iraqis across the country, including in the capital Baghdad.<sup>713</sup> For instance, the price of a square meter in commercial centres in Baghdad is reported to be up to 20 000 USD versus 600 USD in the outskirts of the city.<sup>714</sup> Baghdad city is witnessing a boom in real estate,<sup>715</sup> which is reported to be fuelled by corruption and money laundering.<sup>716</sup> Many of the new estate developments are, however, economically inaccessible to ordinary Iraqis.<sup>717</sup> To address the housing crisis, the Iraqi government has initiated plans for new low-cost and high-end housing projects across the country,<sup>718</sup> including in the capital Baghdad where it is planning to build 70 000 units in Sadr City and 100 000 units in Bismaya City.<sup>719</sup>

In 2020, UN Habitat estimated that 12.9 % of the Iraqi population (over 3 million people) lived in informal settlements.<sup>720</sup> Baghdad has the highest concentration of slums, with over 1 000 informal settlements,<sup>721</sup> which represents around 26 % of the total housing.<sup>722</sup> The most densely populated neighbourhood of Baghdad is Sadr City, with almost 3 million people living in an area of less than 30 km<sup>2</sup>. Often, multiple families are forced to share one house, in conditions of chronic water scarcity and deteriorating sanitation networks.<sup>723</sup> Slums are present across all 16 municipalities of Baghdad. Many poor, even middle-class families are reported to resort to living in informal settlements rather than renting apartments.<sup>724</sup> Informal settlements are mostly substandard makeshift structures,<sup>725</sup> overcrowded and mostly lacking services and infrastructure. Children living in these areas are either out of school or have to walk long distances to reach schools in the neighbouring residential areas.<sup>726</sup> In Baghdad, where most job opportunities are concentrated in the city centre, residents of informal settlements have limited access to employment, due to a lack of public transportation, high transportation costs and checkpoints at the city entrances. As a result, most people residing in slums in Baghdad resort to non-fixed income from working in construction and portering, concrete block and brick factories. Most homes in these settlements in Baghdad were built illegally,<sup>727</sup> putting residents at risk of eviction.<sup>728</sup> Law enforcement and justice for residents in the slums are provided by tribes, rather than formal law enforcement.<sup>729</sup>

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<sup>713</sup> France 24/AFP, In Iraq, Graft Helps Push Property Prices Out of Reach, 4 January 2023, [url](#); Shafaq, 'Drastic rise' in Baghdad's real estate prices, 20 October 2022, [url](#)

<sup>714</sup> Al-Monitor, How Can Iraq Help 3.5 Million Citizens Living in Urban Slums?, 21 October 2022, [url](#)

<sup>715</sup> Reuters, Baghdad's historic homes crumble as real estate booms, 7 October 2022, [url](#)

<sup>716</sup> Washington Post, A building boom fueled by corruption is changing the face of Baghdad, 29 June 2023, [url](#)

<sup>717</sup> Al-Shakeri H., The Underbelly Of Iraq's 'Economic Boom', IRIS, 7 October 2023, [url](#)

<sup>718</sup> Iraqi News, The Prime Minister Announces the Establishment of a New Residential City in Dhi Qar, 5 January 2024, [url](#); Zawya, Iraq to Invite Developers to 5 New City Projects, 2 January 2024, [url](#)

<sup>719</sup> Zawya, Iraq's 2nd Largest Housing Project to Be Finished in 3 Years, 15 January 2024, [url](#)

<sup>720</sup> UN Habitat, Informal Settlements in the Arab Region, February 2020, [url](#), p. 36

<sup>721</sup> Assafir Al-Arabi, Informal Settlements in Iraq: The Forgotten Cities of the Forgotten, 4 June 2022, [url](#); UN Habitat, Informal Settlements in the Arab Region, February 2020, [url](#), pp. 34-36

<sup>722</sup> UN Habitat, Informal Settlements in the Arab Region, February 2020, [url](#), p. 26

<sup>723</sup> Washington Institute, Addressing Iraq's Environmental Challenges: Population Growth, 17 October 2023, [url](#)

<sup>724</sup> Assafir Al-Arabi, Informal Settlements in Baghdad, 6 June 2022, [url](#)

<sup>725</sup> UN Habitat, Informal Settlements in the Arab Region, February 2020, [url](#), p. 20

<sup>726</sup> Al-Monitor, How Can Iraq Help 3.5 Million Citizens Living in Urban Slums?, 21 October 2022, [url](#); Assafir Al-Arabi, Informal Settlements in Baghdad, 6 June 2022, [url](#)

<sup>727</sup> Assafir Al-Arabi, Informal Settlements in Baghdad, 6 June 2022, [url](#)

<sup>728</sup> IOM, DTM Emergency Tracking: Eviction from Informal Settlements (1-14 November 2023), 6 December 2023, [url](#); USDOS, 2022 Country Report on Human Rights Practices: Iraq, 20 March 2023, [url](#), p.

<sup>729</sup> Assafir Al-Arabi, Informal Settlements in Iraq: The Forgotten Cities of the Forgotten, 4 June 2022, [url](#)



IOM reported that 26 634 IDPs were living in Baghdad as of August 2023, 8 562 of whom lived in severe living conditions. From January to April 2023, reduction in the electricity supply and job opportunities in Tarmia district and Abu Ghraib district of Baghdad City led to an increase in the number of IDPs living in severe conditions.<sup>730</sup>

In July 2021, the Federal Government launched an initiative granting land bonds to specific groups of persons such as government employees and widows. Such initiative has however been criticised for not being properly implemented.<sup>731</sup>

Iraq's electricity system is still degraded<sup>732</sup> and power outages across the country occur frequently.<sup>733</sup> Privately-owned generators that provide electricity across the country are used by powerful actors as a source of income.<sup>734</sup> Infrastructure works are currently undergoing in Baghdad city, and electricity supply is reported to have improved.<sup>735</sup> People living in makeshift shelters in IDP camps and in informal settlements are particularly impacted by the recurrent power cuts.<sup>736</sup> Throughout 2022, long queues at petrol stations were reported, as well as the closure of numerous others due to a lack of fuel in several cities, including Baghdad.<sup>737</sup>

## 2.2.9. Water and sanitation

Dirty and unsafe water is a major health threat at country level.<sup>738</sup> Accessing clean drinking water is one of the most pressing challenges in Iraq,<sup>739</sup> including in Baghdad.<sup>740</sup> Water quality is reported as extremely low as a result of pollution and untreated waste discharge, especially from informal settlements, industrial activities and agriculture. In Baghdad, salinity levels of rivers exceed the threshold for drinking water quality, compromising water supply security for domestic and agricultural uses.<sup>741</sup> For instance, the Municipality of Baghdad treats only 53 % of the approximately 1.4 million cubic meters of household wastewater which is disposed of daily. Due to a lack of sufficient wastewater disposal systems in slums, treatment rates are even lower, and residents are forced to improvise their own sewage systems that usually end up in canals and rivers.<sup>742</sup> Water contamination is the cause of an increase in disease cases, including in Baghdad.<sup>743</sup>

<sup>730</sup> IOM, Iraq Displacement Index - Findings Round Seven (May- August 2023), October 2023, [url](#), p. 3

<sup>731</sup> Al-Monitor, Mega Projects Do Little to Calm Iraq's Housing Crisis, 19 July 2022, [url](#)

<sup>732</sup> UN Iraq, Iraq Common Country Analysis 2021, 26 April 2022, [url](#), p. 50

<sup>733</sup> AGSIW, Urgent Reforms Needed to Unlock Iraq's Green Potential, 14 November 2023, [url](#)

<sup>734</sup> Near East Policy Forum, Solar Solutions to Power Outages in Energy-Rich Iraq, 2 March 2023, [url](#)

<sup>735</sup> Reuters, Baghdad gets make-over as repairs kindle guarded optimism, 16 May 2023, [url](#)

<sup>736</sup> Euro-Med Human Rights Monitor, Iraq: IDPs in Camps Face Dire Conditions as Temperature Rises, 21 July 2022, [url](#); USAID, Iraq: Complex Emergency, 30 September 2022, [url](#), p. 3

<sup>737</sup> New Arab, Iraqis fear fuel crisis as shortages hit Baghdad, Mosul, 16 March 2022, [url](#)

<sup>738</sup> France24/AFP, Rampant water pollution threatens Iraq's shrinking rivers, 21 February 2024, [url](#)

<sup>739</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 17, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#) p. 87, footnote 639; REACH, Key Multi-Sectoral Findings, 14 December 2023, [url](#), pp. 13, 41-42, 52

<sup>740</sup> Kurdistan 24, Baghdad Subdistrict Has Lacked Water for more than 15 Years, 29 October 2023, [url](#);

France24/AFP, Rampant water pollution threatens Iraq's shrinking rivers, 21 February 2024, [url](#)

<sup>741</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 58, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#) p. 87, footnote 640; Shafaq, 'State Toxins' Infiltrate Iraqi Homes: Drought, Pollution, and Government Initiatives, 1 October 2023, [url](#)

<sup>742</sup> Water, Peace and Security, Action Needed: Three Priorities for Iraq's Water Sector, June 2022, [url](#), p. 7

<sup>743</sup> Shafaq, 'State Toxins' Infiltrate Iraqi Homes: Drought, Pollution, and Government Initiatives, 1 October 2023, [url](#)



## 2.3. Sulaymaniyah

### 2.3.1. Entry, residency requirements and access to civil documentation and services

According to UNHCR, for Iraqis who originate from any other KRI governorates and for Iraqi Kurds from outside the KRI, there is generally no entry requirements or restrictions to enter Sulaymaniyah governorate, other than presenting their Civil Status ID Card/Unified ID Card. Yazidis from outside the KRI are in practice treated similarly to Kurds and can enter Sulaymaniyah governorate by presenting their Civil Status ID Card/Unified ID Card.<sup>744</sup>

UNHCR information indicates that Iraqi Arabs and Turkmen who originate from outside the KRI go through security screening at the internal border (not the airport), following which, they are granted by the *Asayish* a temporary entry permit (Tourist Visitor Card) valid for 30 days. Such short-term entry permit allows individuals to stay in Sulaymaniyah governorate for the validity period and is granted for purposes such as medical care, business, shopping, or other reasons. Individuals who hold the Tourist Visitor Card cannot access employment or rent an apartment, other than a hotel room. Individuals who hold a Tourist Visitor Card and intend to stay beyond the 30 day-period must regularise their stay with the *Asayish* and the *mukhtar* in the neighbourhood where they seek to reside. Individuals who arrive in the governorate via Sulaymaniyah airport are not granted a Tourist Visitor Card and if they intend to stay in the governorate, they must approach the *Asayish* and the *mukhtar* in the neighbourhood where they seek to reside.<sup>745</sup>

Regardless of their place of origin and ethno-religious profile, all Iraqis have access to public education and health services in Sulaymaniyah. For people to access other rights and basic services, including employment and housing, they must regularise their stay with the *Asayish* and transfer their Housing Card.<sup>746</sup>

UNHCR notes that residency requirements vary depending on the place of origin, ethno-religious profile and family status of the individual.<sup>747</sup> In fact, in the KRI, individuals with certain profiles or originating from certain areas are not allowed to transfer their Housing Card or obtain a new Housing Card. This is also the case for Sulaymaniyah governorate, where single Arab and Turkmen men and women, as well as Kurds and Yazidis originating from the disputed territories<sup>748</sup> cannot request the transfer of their Public Distribution System (PDS) card, but they must instead return to the place of origin to obtain the monthly food rations.

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<sup>744</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 5-6; UNHCR, email communication with EUAA, 8 May 2024

<sup>745</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 5-6; UNHCR, email communication with EUAA, 8 May 2024

<sup>746</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 15; UNHCR, email communication with EUAA, 8 May 2024

<sup>747</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 15; UNHCR, email communication with EUAA, 8 May 2024

<sup>748</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 8-9, 13; UNHCR, email communication with EUAA, 8 May 2024





Newborns can be added to the PDS cards only by returning to the place of origin. The renewal of the PDS card can be done in Sulaymaniyah.<sup>749</sup>

### **Transfer or Issuance of the Housing Card for Iraqis from another KRI governorate**

Irrespective of their ethnic/religious background, Iraqis originating from another governorate in the KRI, need to request a new *Asayish* code<sup>750</sup> and either transfer their Housing Card from the governorate of origin to Sulaymaniyah Governorate, or obtain a new Housing Card in Sulaymaniyah Governorate. These procedures involve various steps, including an interview by the General *Asayish* Directorate of Sulaymaniyah. Once the individuals have obtained a new *Asayish* code, they can start the process of renting a house. However, only once they have transferred the Housing Card in Sulaymaniyah Governorate, they can sign a rental agreement, access employment and also transfer their PDS card. To obtain or renew their CSID/UNID in Sulaymaniyah, individuals need to return to their place of origin. Single men and women are reported to face restrictions on areas and types of rental accommodation.<sup>751</sup>

### **Transfer or Issuance of the Housing Card for Kurds and Yazidis from outside the KRI**

For Iraqis with Kurdish or Yazidi background who originate from a governorate outside the KRI, the same process as for Iraqis from another KRI governorate, as described above, applies. Once their Housing Card has been transferred to or issued in Sulaymaniyah, they have access to regular employment and can request the transfer of the PDS card to Sulaymaniyah (unless they originate from the disputed areas). To obtain or renew their CSID/UNID in Sulaymaniyah, individuals need to return to their place of origin. Single men and women are reported to face restrictions on types and location of rental accommodation.<sup>752</sup>

### **Issuance of residency permit for Arab and Turkmen families from outside the KRI**

To obtain a residency card, Arab and Turkmen families originating from outside the KRI do not require a sponsor, however they must contact the local *Asayish* in the neighbourhood in which they seek to reside. The residency card is valid for one year and can be renewed. Once obtained the one-year residency card, Arab and Turkmen families can rent an apartment and access informal employment (usually in the construction and hospitality sectors).<sup>753</sup>

<sup>749</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 15 footnote 50; UNHCR, email communication with EUAA, 8 May 2024

<sup>750</sup> UNHCR noted that 'The *Asayish* code is provided to every individual above 18 years old. Due to prevailing political, security and administrative divisions, the *Asayish* codes vary in each KR-I governorate. Therefore, individuals from Erbil, Dohuk or Halabja seeking to settle in Sulaymaniyah Governorate will require a new *Asayish* code.' UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p.15 footnote 49

<sup>751</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 15-16; UNHCR, email communication with EUAA, 8 May 2024

<sup>752</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 15-16; UNHCR, email communication with EUAA, 8 May 2024

<sup>753</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 15-16; UNHCR, email communication with EUAA, 8 May 2024



## Transfer or issuance of the Housing Card for Arab and Turkmen families outside the KRI

Arab and Turkmen families who hold a one-year residency card can request the transfer of their Housing Card to Sulaymaniyah, or obtain a new Housing Card (same process as described above for Iraqis from another KRI governorate applies). Once they obtain the transfer of their Housing Card, these individuals can access regular employment. They can also request the transfer of their PDS card to Sulaymaniyah. To obtain or renew their CSID/UNID in Sulaymaniyah, individuals need to return to their place of origin.<sup>754</sup>

## Issuance of residency permit for Arab and Turkmen single men and women

Normally, single Arab and Turkmen men and women are reported to be granted only a one-month renewable residency permit. In exceptional cases, they obtain a one-year, renewable residency card from the *Asayish*, only if they can secure regular employment and submit a support letter from their employer. UNHCR stated that, 'in practice, holders of a one-month residency card face difficulties in finding regular employment due to the short duration of their permits.' These individuals also face restrictions regarding the type and the location of rental accommodation.<sup>755</sup>

### 2.3.2. Economy

The city of Sulaymaniyah has a population of 780 000,<sup>756</sup> with a predominantly Sunni Kurdish resident population, and smaller numbers of Shia Kurds, Sunni and Shia Arabs, Christians and other minorities residing there. Since 2014, the city has hosted primarily Sunni Arab IDPs from across conflict-affected governorates.<sup>757</sup> The KRG economy relies heavily on oil exports and on budget transfers from federal government.<sup>758</sup> Disagreements on oil and gas management between the KRG and the federal government, as well as between the Patriotic Union of Kurdistan (PUK) (which runs Sulaymaniyah Governorate) and the Kurdistan Democratic Party (KDP) have had an impact on the economic stability of Sulaymaniyah governorate. Among other grievances, the PUK accused the KRG of budget cuts. Insufficient funds have caused a wage crisis in Sulaymaniyah, resulting in delays of salary payments.<sup>759</sup>

In March 2023, the pipeline that transports oil from the KRI to Türkiye for onward export was shut down following an arbitration case<sup>760</sup> ruled in favour of Baghdad. The ruling stated that Türkiye breached the 1973 pipeline agreement by allowing the KRG to pump and export oil without Baghdad's consent.<sup>761</sup> By the time of drafting, the KRI oil exports had not resumed yet.<sup>762</sup> The halting of oil exports through Türkiye since March 2023<sup>763</sup> has had serious

<sup>754</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 15-16; UNHCR, email communication with EUAA, 8 May 2024

<sup>755</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), pp. 15-16; UNHCR, email communication with EUAA, 8 May 2024

<sup>756</sup> World Bank, Iraq Economic Monitor, Spring/Summer 2023, 31 July 2023, [url](#), p. 3, footnote c

<sup>757</sup> IOM, Cities as Home: Location Factsheets and Case Studies of Local Integration, 6 January 2021, [url](#), p. 18

<sup>758</sup> SIPRI, Iraq in 2023: Challenges and prospects for peace and human security, 17 March 2023, [url](#)

<sup>759</sup> Washington Institute, PUK and KDP: A New Era of Conflict, 21 December 2022, [url](#)

<sup>760</sup> Argus, No imminent Iraqi Kurdistan crude restart: KRG official, 16 February 2024, [url](#)

<sup>761</sup> The National, Iraq Export Pipeline Closure Wreaks Havoc on Kurdish Region Economy, 21 September 2023, [url](#)

<sup>762</sup> Rudaw, Oil producers ask US to discuss Kurdistan exports with PM Sudani, 16 February 2024, [url](#)

<sup>763</sup> World Bank, Iraq Economic Monitor, Spring/Summer 2023, 31 July 2023, [url](#), p. 5



economic consequences in the region, due to loss in revenues and increasing fiscal pressure on the KRG. Oil production companies have been forced to cut salaries and lay off employees, while the regional government has been unable to pay public salaries and provide some services.<sup>764</sup> Public sector workers held a series of protests in Sulaymaniyah city, as well as in other cities of the KRI, over unpaid salaries.<sup>765</sup> A court decision issued on 21 February 2024 by the Federal Supreme Court of Iraq ordered the KRG to hand over all oil and non-oil revenues to Baghdad, *de facto* giving full control to the federal government on the KRG's finances. The same ruling also ordered the payment of public sector salaries in the KRI to be disbursed directly by the federal government rather than through the current system of monthly loans to the KRG.<sup>766</sup>

### 2.3.3. Employment

According to latest available data from 2021, the unemployment rate in Sulaymaniyah governorate was at 11.9 %.<sup>767</sup> The public sector, which is marred by corruption and inefficiency, remains the largest employer in the KRI.<sup>768</sup> In the past decade, the KRG has struggled to pay its civil servants on time,<sup>769</sup> triggering protests<sup>770</sup> and strikes.<sup>771</sup> Recruitment in both the public and the private sector is dominated by nepotism and cronyism along family, tribal, ethno-sectarian, and political lines.<sup>772</sup> The lack of employment opportunities in the KRI, especially among young people,<sup>773</sup> has been a recurrent trigger for social unrest<sup>774</sup> and migration (both rural-urban migration and emigration).<sup>775</sup>

<sup>764</sup> Washington Institute, Renewing the KRG's Opposition Parties for 2024 Parliamentary Elections, 8 January 2024, [url](#); The National, Iraq Export Pipeline Closure Wreaks Havoc on Kurdish Region Economy, 21 September 2023, [url](#)

<sup>765</sup> AP, Public sector workers in Iraq's Sulaymaniyah protest over unpaid salaries, 14 January 2024, via YouTube AP channel, [url](#); Rudaw, Striking teachers plan protest despite government promises, 7 January 2024, [url](#); France 24/AFP, Iraqi Kurds protest unpaid salaries from Baghdad, 5 September 2023, [url](#); Shafaq News, Employees in Al-Sulaymaniyah and Halabja Strike amid Salary Delays, 10 September 2023, [url](#)

<sup>766</sup> Epic, ISHM: February 15 – 22 2024, 22 February 2024, [url](#); S&P Global, Iraqi federal court ruling deals another blow to Kurdistan regional government's oil autonomy, 22 February 2024, [url](#)

<sup>767</sup> ILO/CSO/KRSO, Iraqi Labour Force Survey 2021, 5 July 2022, [url](#), p. 13

<sup>768</sup> Wahab B., The Rise and Fall of Kurdish Power in Iraq, in: Middle East Report (306 Spring 2023), April 2023, [url](#)

<sup>769</sup> CFRI, The Root Causes of Kurdish Iraqi Migration: Early Warnings of an Impending Youth Quake in the KRI, 13 July 2022, [url](#)

<sup>770</sup> EPC, Sulaymaniyah-Erbil Disagreement: Scenarios of Division in Iraqi Kurdistan, 21 March 2021, [url](#); MRG, Minority and Indigenous Trends 2021 – Focus on Covid-19, 30 June 2021, [url](#), p. 154; AI, Report 2020/21: The State of the World's Human Rights, 7 April 2021, [url](#), p. 197

<sup>771</sup> New Arab, Iraqi Kurdistan Doctors, Teachers, and Garbage Collectors Go on Strike over Unpaid Salaries, 7 March 2022, [url](#)

<sup>772</sup> Arab Reform Initiative, Understanding the Roots of the Younger Generations' Despair in the Kurdistan Region of Iraq, 4 April 2023, [url](#); AP, Corruption, Deep Disparity Mark Iraq's Oil Legacy post-2003, 24 March 2023, [url](#)

<sup>773</sup> CFRI, The Root Causes of Kurdish Iraqi Migration: Early Warnings of an Impending Youth Quake in the KRI, 13 July 2022, [url](#)

<sup>774</sup> ILO, Cost of Inaction: Education Deprivation in Iraq and the Potential of Social Protection to Reverse it, 7 March 2023, [url](#), p. 7; France24/AFP, Iraq's Young Covet Govt Jobs in Headache for Economy, 2 October 2022, [url](#); UNDP, Reimagining the Social Contract in Iraq, 1 June 2022, [url](#), pp. 17, 19

<sup>775</sup> Rudaw, Kurdistan Region's Youth Blame Lack of Opportunities for Desire to Migrate, 6 September 2023, [url](#);

CFRI, The Root Causes of Kurdish Iraqi Migration: Early Warnings of an Impending Youth Quake in the KRI, 13 July 2022, [url](#); Rudaw, Youth from Sulaimani's Raparin migrate en masse due to lack of services, 4 September 2023, [url](#)



### 2.3.4. Poverty

Based on data by the Iraqi Ministry of Planning and cited by media outlets, poverty headcounts rates in 2021 stood between 12.5 % and 13 %, in the KRI.<sup>776</sup> Particularly critical is poverty among IDPs and returnees in some governorates, including in Sulaymaniyah.<sup>777</sup> As of December 2023, 8 % of the country's IDP population was situated in Sulaymaniyah governorate.<sup>778</sup> As noted by UNHCR, many IDPs and returnees in Iraq, in both urban and rural areas, often face challenges in accessing basic services and employment, are more likely to be poor, food insecure, dependent on humanitarian aid and more exposed to violence, abuse, and exploitation.<sup>779</sup>

### 2.3.5. Food security

According to data by FAO and cited by the UN, 41 % of households in Iraq face moderate to severe food insecurity, with Anbar, Dohuk, Erbil, and Sulaymaniyah most affected.<sup>780</sup> As of 1 August 2023, Sulaymaniyah was characterised as the 11<sup>th</sup> among the governorates with the highest prevalence of crisis or above crisis level food-based coping strategies, affecting a total of 84 800 people.<sup>781</sup> Media sources reported that meat prices have seen an unprecedented increase in Iraq, and especially in the KRI, at the point where 'meat has begun to disappear from the tables of poor and low-income families.'<sup>782</sup> This is also the case in Sulaymaniyah, where citizens raised concerns about increase in prices, especially of meats but also other basic food materials.<sup>783</sup>

### 2.3.6. Healthcare

The quality and availability of healthcare in the KRI is described as slightly better than in the rest of Iraq,<sup>784</sup> however much of the capacity is concentrated in urban areas.<sup>785</sup> As of 2020, there were 1.6 hospital beds per 1 000 population in the KRI, the highest number being in Sulaymaniyah (1.8).<sup>786</sup> Based on 2020 data by the Ministry of Health and environment, Sulaymaniyah had 63 hospitals, of which 38 were public (including 1 offering tertiary

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<sup>776</sup> Shafaq, Abject poverty inflicts less than 2% of the total poverty headcounts, official says, 27 April 2021, [url](#)

<sup>777</sup> UNOCHA, Humanitarian Needs Overview 2022: Iraq, 27 March 2022, [url](#), p. 81

<sup>778</sup> UNCHR/DTM, Iraq - Population Profile - Breakdown Overview - IDPs and Returnees, 29 January 2024, [url](#)

<sup>779</sup> UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 197

<sup>780</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, pp. 22-23, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 75, footnote 536

<sup>781</sup> WFP, Hunger Map Live: Iraq insight and key trends, 1 August 2023, [url](#), p. 2

<sup>782</sup> Shafaq, Iraqi Trade Minister addresses concerns over food reserve and meat prices, 22 February 2024, [url](#)

<sup>783</sup> New Arab, As Ramadan approaches in Iraq, Food prices increase amid complaints of government inaction, 26 February 2024, [url](#)

<sup>784</sup> Australia, DFAT, Country Information Report Iraq, 16 January 2023, [url](#), p. 8; Sulaiman H. M., et al., Health System Performance, Mitigation, and Imperative Reform Approaches in the Kurdistan Region of Iraq: A Qualitative SWOT Analysis from the Stakeholders' Point of View, in: Duhok Medical Journal, Vol. 17(1), 2023, [url](#), pp. 91-93

<sup>785</sup> Sulaiman H. M., et al., Health System Performance, Mitigation, and Imperative Reform Approaches in the Kurdistan Region of Iraq: A Qualitative SWOT Analysis from the Stakeholders' Point of View, in Duhok Medical Journal, Vol. 17(1), 2023, [url](#), pp. 90-93; Al Dabbagh S. A., et al., Workload Assessment of Medical Doctors at Primary Health Care Centers in the Duhok Governorate, in Human Resources for Health, Vol. 19, January 2022, [url](#)

<sup>786</sup> Sulaiman H. M., et al., Health System Performance, Mitigation, and Imperative Reform Approaches in the Kurdistan Region of Iraq, Vol. 17 Issue 1, 2023, [url](#), pp. 91-93



healthcare) and 25 were private.<sup>787</sup> Data released by the KRG and reported by local media in 2023 showed a total of 135 hospitals (52 private and 83 public) and 1 470 health centres in the KRI, of which 16 % are located in cities, 32 % in districts, 11 % in sub-districts and 41 % in villages.<sup>788</sup> On the occasion of the inauguration of a new specialised paediatric Intensive Care Unit (ICU) in Sulaymaniyah in 2023, a health authorities representative stated that scarcity of intensive care remains a significant problem, forcing citizens to resort to private hospitals, where costs range from 500 000 to 3 million Iraqi dinars per night.<sup>789</sup> In April 2022, several public hospitals in Sulaymaniyah had to temporarily suspend their services due to shortages of medical supplies and medication, particularly for chronic diseases.<sup>790</sup> Also, due to budget deficits, health workers went on strike during 2023, limiting health services beyond emergency and critical care.<sup>791</sup>

### 2.3.7. Education

School completion rates in Sulaymaniyah governorate were 91 % for primary school, 72 % for lower secondary school and 45 % for upper secondary school. Out of school rates were 2 % on the primary, 9 % on the lower secondary and 20 % on the upper secondary levels.<sup>792</sup> As of 2021, illiteracy rate in Sulaymaniyah governorate stood at 24 %.<sup>793</sup> In Sulaymaniyah, all Iraqis have access to education, regardless of their place of origin and ethno-religious profile,<sup>794</sup> provided they hold civil documentation.<sup>795</sup> For more information on access to education for children at country level see [1.4 Children](#). In 2023, over 58 000 teachers went on strike in Sulaymaniyah governorate over unpaid salaries, due to unresolved oil and financial disputes between KRG and Federal government.<sup>796</sup> As of January 2024, most schools in Sulaymaniyah governorate (as well as in Halabja and the administrations of Garmiyan, Raparin, and Koya) had yet to open their doors for the new academic year which began in September 2023,<sup>797</sup> as teachers were on strike.<sup>798</sup> At the end of February 2024, KRG authorities announced teachers

<sup>787</sup> Iraq, Ministry of Health and Environment, Annual Statistical Report 2020, 2021, [url](#), pp. 138,139, 141, 143

<sup>788</sup> Kurdistan 24, KRG Ministry of Health publishes healthcare statistics, 31 July 2023, [url](#)

<sup>789</sup> Shafaq News, Al-Sulaymaniyah Inaugurates Iraq's Largest Pediatric ICU, 16 August 2023, [url](#)

<sup>790</sup> UN Iraq Resident Coordinator Office (RCO) / UNAMI Development Support Office (DSO), Field Report Issue 22, 23 July 2022, [url](#), pp. 3-5; Sulaiman H. M., et al., Health System Performance, Mitigation, and Imperative Reform Approaches in the Kurdistan Region of Iraq, Vol. 17 Issue 1, 2023, [url](#), 82; Esta Media Network, Official Says Sulaimani Pediatric Hospital ICU Section Suspended Works; Live of many Are at Risk, 13 December 2023, [url](#)

<sup>791</sup> Rudaw, Patients, Students, Civil Servants Lose in Erbil, Baghdad Money Row, 17 September 2023, [url](#); Shafaq, Employees in Al-Sulaymaniyah and Halabja Strike amid Salary Delays, 10 September 2023, [url](#); AFP, Iraqi Kurds Protest Unpaid Salaries from Baghdad, 5 September 2023, [url](#)

<sup>792</sup> UNICEF, Iraq Education Fact Sheet 2020 – Analyses for learning and equity using MICS data, 2020, [url](#), pp. 9, 15

<sup>793</sup> Iraq, MoP, The Second National Voluntary Review Report on the Achievement of the Sustainable Development Goals, July 2021, [url](#), p. 99

<sup>794</sup> UNHCR, Ability of Iraqis to Legally Access and Settle Durably in Proposed Areas of Internal Relocation, November 2022, [url](#), p. 15

<sup>795</sup> DRC, Life in the Margins, September 2022, [url](#); HRW, World Report 2024, Events of 2023, 11 January 2024, [url](#); AI, Report 2022/23; The State of the World's Human Rights; Iraq 2022, 27 March 2023, [url](#)

<sup>796</sup> Iraq Oil Report, Two-month teachers' strike underscores severity of Baghdad-Erbil problems, 21 September 2023, [url](#)

<sup>797</sup> Rudaw, Striking teachers plan protest despite government promises, 7 January 2024, [url](#)

<sup>798</sup> Kirkuk Now, Sulaymaniyah Teachers under Pressure Arresting Organizers of Demonstrations, Threats of Dismissal, 22 January 2024, [url](#)



had returned to classrooms after months of strike.<sup>799</sup> Like in the rest of Iraq,<sup>800</sup> KRI lacks sufficient number of classrooms and qualified teachers to accommodate education for the growing number of young students. For instance, in Ranya, in Sulaymaniyah governorate, a shift system is in place, which limits students' class time to just four hours per school daily. Most schools are reported to operate on a two-shift system, while some schools are forced to use a three-shift system due to the lack of space and large number of students.<sup>801</sup>

### 2.3.8. Housing and living conditions

The demand for housing has been growing in Sulaymaniyah, with people moving from the villages to the city for employment opportunities.<sup>802</sup> Like in Federal Iraq,<sup>803</sup> to address the housing crisis,<sup>804</sup> the KRG authorities are planning the construction of affordable housing units in various areas of the KRI, including in Sulaymaniyah.<sup>805</sup> The power system in the KRI is more reliable,<sup>806</sup> but electricity shortages are still common,<sup>807</sup> including in Sulaymaniyah.<sup>808</sup> For information on civil documentation needed for accessing housing, see [Entry, residency requirements and access to civil documentation and services](#) [2.3.1. Entry, residency requirements and access to civil documentation and services](#).

### 2.3.9. Water and sanitation

The KRI, including Sulaymaniyah,<sup>809</sup> is experiencing water shortages and long periods of drought,<sup>810</sup> which are becoming pressing issue threatening the general well-being of the population. The river Tanjaro, located in Sulaymaniyah city, is reported to be polluted with untreated waste, oils, and harmful metals from factories, waste sites, and refineries. This water flows into the Darbandikhan Dam reservoir, which provides drinking water to hundreds of thousands people. The polluted water then continues to flow downstream, eventually into the Tigris River and the Gulf, affecting many communities along the way.<sup>811</sup> Due to lack of safe

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<sup>799</sup> Shafaq, Kurdistan education minister announces Sulaymaniyah teachers' return, unveils development strategy, 29 February 2024, [url](#)

<sup>800</sup> UN Iraq, Iraq Common Country Analysis 2023, January 2024, p. 45, cited in UNHCR, International Protection Considerations with Regards to People Fleeing Iraq, 30 January 2024, [url](#), p. 84, footnote 615

<sup>801</sup> Al-Monitor, In Iraq's Kurdistan Region, Teacher Strikes Highlight Schooling Crisis, 15 January 2024, [url](#)

<sup>802</sup> Jamal Ali, B. et al., Factors Shaping Customer Satisfaction with Residential Flats: Evidence from Sulaymaniyah City, 10 May 2021, [url](#), pp. 1-2

<sup>803</sup> Iraqi News, The Prime Minister Announces the Establishment of a New Residential City in Dhi Qar, 5 January 2024, [url](#); Zawya, Iraq to Invite Developers to 5 New City Projects, 2 January 2024, [url](#)

<sup>804</sup> Shafaq, Trumping Kurdistan, Real Estate Prices 'Spark Uproar' in Al-Anbar, 21 August 2022, [url](#)

<sup>805</sup> Bas News, KRG to Build Housing Units for Low-income Earners, 16 May 2023, [url](#)

<sup>806</sup> Rudaw, Garmiyan Village Residents Leave amid Water Scarcity, 29 October 2023, [url](#); Freedom House, Freedom on the Net 2023: Iraq, 4 October 2023, [url](#)

<sup>807</sup> Shafaq, Kurdistan Region Ministry of Electricity Releases Statistics on Power Infrastructure and Subscribers, 29 August 2023, [url](#); Rudaw, Protesters block Sulaimani-Erbil road over electricity shortages, 2 January 2024, [url](#)

<sup>808</sup> Draw Media, Slemani Is Going to Run Out of Electricity, 12 January 2023, [url](#)

<sup>809</sup> Washington Kurdish Institute, In the Midst of the Riparians: Kurdistan's position at the center of an impending water crisis in the Tigris-Euphrates River Basin, 15 February 2023, [url](#)

<sup>810</sup> Raseef22, Thirsty for Solutions: Erbil's Escalating Water Crisis Amidst Rapid Urbanization and Climate Change, 2 August 2023, [url](#); Rudaw, Several Erbil Neighbourhoods Suffer from Lack of Water, 13 July 2023, [url](#); AFP, Iraq's Mesopotamian Marshlands Are Dying at an Alarming Rate, 13 July 2023, [url](#)

<sup>811</sup> Rudaw Research Centre, Navigating Water Scarcity in the Kurdistan Region: Challenges, Causes, and Crucial Solutions, 28 August 2023, [url](#)



water, poor sanitation and hygiene, Iraq saw a cholera outbreak in 2022<sup>812</sup> mostly affecting the governorates of Sulaymaniyah, Al Muthanna, Baghdad, Kirkuk, Babel, Thi Qar, and Al Qadisiyyah.<sup>813</sup> Between August<sup>814</sup> and September 2023, health authorities confirmed 130 cases of cholera in Sulaymaniyah, along with several other cases registered in Erbil.<sup>815</sup>

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<sup>812</sup> IFRC, Iraq: Cholera Epidemic-Emergency Plan of Action (EPoA), DREF n° MDRIQ01, 7 July 2022, [url](#), pp. 1-2, 13

<sup>813</sup> IFRC, Iraq: Cholera Epidemic-Emergency Plan of Action (EPoA), DREF n° MDRIQ015, 1 December 2023, [url](#), pp. 1

<sup>814</sup> Rudaw, 10 confirmed cases of cholera: Sulaimani health, 31 August 2023, [url](#)

<sup>815</sup> Rudaw, 130 confirmed cholera cases in Sulaimani, says health minister, 14 September 2023, [url](#)



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## Annex 2: Terms of Reference

### Targeting of individuals

- **Persons perceived to be opposing the state and state-affiliated actors**
  - Specific profiles potentially interpreted by the state as opposition:
    - Members of political opposition parties
    - Political activists and protesters
    - Journalists
    - Human rights activists
    - Persons with (perceived) affiliation to ISIL
  - Treatment of family members
  
- **Ethno-religious minorities**
  - Overview of situation and treatment of ethno-religious groups (e.g. Sunnis, Christians, Yazidis, Turkmen etc.) by different actors
  - Legal framework on conversion, atheism, inter-religious/inter-sect marriages
  
- **Women**
  - Overview of situation of women in both Federal Iraq and the KRI: rights, discrimination, gender-based violence
  - Honour violence and treatment of women in tribal disputes (e.g. *fasilya* marriages)
  - Treatment of single/divorced/widowed women (including single women heads of households)
  
- **Children**
  - Violence against children
  - Situation of children without support network/family or living in female headed households
  - Child recruitment by armed groups
  - Child labour, child marriage etc.
  - Access to education
  - Risk of statelessness
  
- **LGBTIQ**
  - Legal framework and implementation





- Treatment of LGBTIQ persons by state authorities/armed actors/society/family/community
- **Individuals perceived to transgress moral and religious norms**
  - Treatment of individuals whose behaviour or appearance are perceived as transgression of moral and religious norms (e.g. tattoos, women's clothing, striking men's hairstyles, alcohol consumption)
  - Treatment of atheists, converts and perceived apostates or blasphemers by state authorities/armed actors/society/family/community
  - Treatment of individuals in inter-sect/inter-faith marriages

### **Key Socio-economic indicators for Baghdad and Sulaymaniyah**

- Legal and administrative requirements to enter and to settle in the respective city and their application in practice (including specific rules for different categories of individuals)
- Access to civil documentation and documentation requirements for access to services
- Freedom of movement
- Economy
- Employment
- Poverty
- Food security
- Healthcare
- Education
- Housing and living conditions
- Water and sanitation





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